

average daily flow rate (gal/acre/day) for each sump.

- average daily flow rate from each sump must be calculated weekly during active life and closure period, monthly during post-closure period.

new language: must have approved **response action plan** before receipt of waste. The plan must set forth the actions to be taken if the action leakage rate is exceeded.

* 264.303 Monitoring and Inspection

- * o/o must **record** amount of liquid removed from each leak detection system sump **weekly** during active life and closure period and monthly during post-closure period.

Corrective Action

- * May **revise corrective action requirements** so that instead of using RFI Phase I-Environmental Monitoring Report, Phase II-Release Assessment, and Phase III-Release Characterization, we will use our CAP incorporating RFI, CMS, and CMI.

- * **add** Ecological Assessment

4. TC Rule

- * **add TC language** to specify the **type** and **amount** of TC wastes that may handled and the **units** in which the wastes may be disposed.

5. Air Emission Standards

- * Subpart AA and BB: air emission standards from process vents associated with distillation, fractionation, thin-film evaporation, solvent extraction, and air or steam stripping operations that manage h.w. with 10 ppm by weight or grater total organics concentration. And equipment leaks in contact with h.w. streams with 10% by weight or grater total organics.

- * Subpart CC Rule: proposed in July 1991; proposed rule requires emission control devices/covers to be installed and operated on landfills which contain wastes having a volatile organic concentration = or > than 500 ppm by weight.
Applicability: may be imposed if landfill emissions cause potential risks to human health.

page 25457 vol. 55 No. 120 (Subpart AA and BB) In the interim, as explained in VI.E. , the omnibus permitting authority of RCRA is an available option for requiring additional emission and risk reductions beyond that achieved by Subpart AA and BB if it is decided, on a case by case

basis that additional control is needed to protect human health and the environment. Risk range 10-4 - 10-6.

6. Compliance Schedule
for Corrective Action, Ecological Assessment, Air Emission Standards, if applicable.

Attachments

1. RCRA Corrective Action Plan
2. WAP
3. Equipment Identification for Subpart AA or BB
4. Scope of Work for an Ecological Assessment

Corrective Action Requirements under existing permit

- 8/8/89
1. Solid Waste Landfills- Submit RFI Phase II Releases Assessment to document the absence or presence of h.w. constituents in the surface water bodies adjacent to the landfills (Allen and Tyler Drains)
 2. Closed Solid Waste Landfills-Submit a draft Scope of Work for an Interim Measure Study to identify interim measures necessary to prevent leakage of the Closed Solike Waste Landfills and dewatering th elandfills which do not have leachate collection systems.

3-21-89 Draft engineering plans for Interim Measures Study submitted

3. Solid and Hazardous Waste Landfills-RFI Phase I Environmental Monitoring Report to document the past and present monitoring requirmenents under federal, state, and local authoirties and any known releas'es of h.w. or h.c. and any corrective measures taken.

cover.

A filter fabric must be placed on top of the sand drainage layer to prevent clogging. The filter fabric apparent opening size should be selected based on filter design criteria.

3. Action Leakage Rates (ALR) [§ 264.302]

The following information is to be required under EPA HSWA permit as it has not yet been adopted by Act 64. This information is provided to assist EPA in their review.

3.1 The applicant provided the necessary information to comply with the requirements of 40 CFR § 264.302 (a). The action leakage rate calculation performed by RMT Inc., on behalf of Ford Motor Company indicates that the flow capacity of the leak detection system is approximately 900 gpad. Our calculation (attachment 2) indicates that the flow capacity of the leak detection system is 384 gpad. RMT assumed the thickness of the leak detection to be one foot. We used the actual thickness of the double geonet (.042 feet). The applicant chose to use ALR of 100 gpad as recommended by EPA.

3.2 The applicant did not provide the information required by 40 CFR § 264.302(b).

40 CFR § 264.302(b)

"To determine if the action leakage rate has been exceeded, the owner or operator must convert the weekly or monthly flow rate from the monitoring data obtained under § 264.303(c), to an average daily flow rate (gallons per acre per day) for each sump. Unless the regional administrator approves a different calculation, the average daily flow rate for each sump must be calculated weekly during the active life and closure period when monthly monitoring is required under § 264.303(c)".

3.3 The applicant must submit a Response Action Plan (RAP) in accordance with 40 CFR § 264.304. The RAP must consider two ranges of leakage rates (1) leakage rates that exceed the rapid and large leakage (RLL) rate and (2) leakage rates that equal or exceed the ALR but are less than RLL.

If you have any questions, please contact me.

Attachments

cc: Ms. De Montgomery, DNR

From: JOHN STEKETEE
To: cohen-eric, MENDOZA-STEPHEN
Date: Tuesday, February 21, 1995 11:08 am
Subject: Ford-APCML TSCA Approval

Steve & Eric:

ESD has proposed the issuance of a letter from Val to Ford giving Ford sixty (60) days to resolve the TSCA PCB leachate disposal issue at Allen Park, or Ford's application for a TSCA chemical waste landfill permit at the APCML will be denied. I have spoken w/ OGC concerning this matter, and OGC believes the Agency has the authority to issue such a letter [the regs. are silent on this matter] to Ford. The Agency has done so on numerous occasions in the context of applications for PCB commercial storage facilities. Since ESD believes Ford has had more than enough time to resolve the PCB leachate disposal issue w/ the City of Detroit and because Ford's TSCA application was submitted over a year ago, November 12, 1993, I do not believe the Agency would be acting arbitrarily or capriciously, or denying Ford's right to due process, by issuing such a letter, and I am recommending to ESD that the Agency do so ASAP. Please let me know if you have any questions concerning ORC's position on this matter.

-John

CC: ginsberg-gail, R5SCI.R5ESD.CONNELL-JOHN, R5SCI.R5E...

711-40

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

DATE: Feb. 6, 1995

SUBJECT: Ford Outfall Trip Report From 2/25-26/95 Mtgs.

FROM: Susan Pastor, CIC

TO: Toni Lesser, Chief, Superfund CI

Travelled with RPM Pablo Valentin and Section Chief Mary Pat Tyson, Superfund; Steve Johnson, ESD; and Denise Gawlinski and Don deBlasio, OPA.

About 60 people attended the public meeting on Wednesday in Monroe, while about 200 people attended the Thursday night meeting in Melvindale. Among those in attendance were representatives from Allen Park, Melvindale, Cong. Dingall's ofc., local media and environmental groups and churches. Don moderated the meetings while Denise and I helped with the sign-in tables and other logistics.

The concerns and comments were pretty much the same. People, especially in Melvindale, are concerned about their health and property values. They don't want PCBs dumped in nearby Allen Park Clay Mine Landfill. Most people would rather see them destroyed through on-site incineration. People believe U.S. EPA does not care about the people, but rather helping big business (Ford) save money by using the cheapest option.

At the suggestion of Fred Eaton (Dingall's aide), we engaged a private firm to supply security for us in Melvindale. Although Melvindale Police were there, we had on assurances they would be available, so it was worth having our own guards.

Aside from the meetings, some of us took a site tour on Thursday.

Follow Up: Although we have always been told we could get security if we needed it, it was very difficult trying to figure out how to access it. We spent several hours on Thursday afternoon trying to line up security. After contacting the U.S. Marshall, U.S. Attorney, and Federal Protecting Service (in Chicago and Detroit), we ended up using a private firm. With the help of Toni and Kathy Williams, we were able to put the paperwork for that fairly quickly. We should find out exactly what the correct procedure would be to obtain security, so CICs aren't saddled with the worry of needing security and with trying to obtain it, too. This was a good lesson for us.

cc: Don, Denise, Pablo, and Steve.

711 29

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE:

SUBJECT: Comments on Congressman Dingell's letter dated August 29, 1994

FROM: Shari Sutker, Geologist
RPB, MI Section

TO: U I C P r o g r a m

Below are RPB's comments that you may find helpful in responding to Congressman Dingell's letter dated August 29, 1994 regarding the TSCA permit. RPB's comments correspond to Congressman Dingell's concerns outlined in the letter. To date, no RCRA hazardous wastes have been disposed of in the Ford-Allen Park Cell II landfill. If you have any questions regarding this memo, please contact Shari Sutker of my staff, at (312) 886-6151.

Comment #3

The Ford Allen Park hazardous waste disposal Cell II, regulated under RCRA, is constructed with an impermeable clay base, an artesian water collection and removal system designed to remove groundwater infiltrating into the cell, a secondary geomembrane liner, and a secondary leachate collection and removal system (LCRS). Above the secondary LCRS is a 5 foot thick recompacted clay layer (RCL) above the RCL is the primary flexible membrane liner and the primary leachate collection and removal system.

In accordance with the RCRA permit, Ford must conduct a Leak Detection and Monitoring Program and a Lysimeter Monitoring program. As part of these programs, Ford must sample, on a quarterly basis, lysimeters for groundwater and the leak detection system for leachate. If a comparison of leachate and groundwater values to background values show a statistically significant increase in hazardous waste constituents, then Ford must notify the State and Federal agencies and implement the company's contingency plan. Within 30 days after notification, Ford must determine if a failure in the flexible membrane liner has occurred and if so, Ford must submit documentation that the liner system has been repaired.

Comment #6

The Ford Allen Park's RCRA permit will require Ford to conduct ambient air monitoring at the site to determine whether any compounds are being released into the air from the landfill operations. The type of compounds that will be monitored include metals and total suspended particulate matter.

711-38

JOHN D. DINGELL
16TH DISTRICT MICHIGAN

COMMITTEES
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COMMERCE
CHAIRMAN
SUBCOMMITTEE ON OVERSIGHT
AND INVESTIGATIONS
OFFICE OF TECHNOLOGY
ASSESSMENT
MIGRATORY AND
CONSERVATION COMMISSION

Congress of the United States
House of Representatives
Washington, DC 20515-2216

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RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515 2216
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(313) 848-1276
218 EAST ELM AVENUE
SUITE 108
MONTROSE MI 48161
(313) 263-1848

FACSIMILE COVER SHEET

TO: MARY CANAVAN

FROM: WALT SANDERS

DATE: Sept 14, 1994

FAX#: (312) 353-1120

NUMBER OF PAGES INCLUDING COVER SHEET: 3

MESSAGE: Sorry!
Thanks.
Walt

IF YOU HAVE ANY QUESTIONS OR IF FAX IS NOT
COMPLETE, PLEASE CALL (202) 225-4071.

COMMITTEES
CHAIRMAN
COMMITTEE ON ENERGY AND
COMMERCE
CHAIRMAN
SUBCOMMITTEES ON OVERSIGHT
AND INVESTIGATIONS
OFFICE OF TECHNOLOGY
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Washington, DC 20515-2216

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MONROE, MI 48181
(313) 243-1849

August 29, 1994

Valdas V. Adamkus, Administrator
Region V
U.S. Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

Dear Administrator Adamkus:

I am aware that EPA is reviewing public comments on Ford Motor Company's (FMC) TSCA permit to store PCBs in the Allen Park Clay Mine Landfill. I appreciate EPA's efforts to ensure the public has had an opportunity to present written and oral testimony over the past several months. Please provide me with a summary of these comments. In addition, EPA should address other concerns before approving the FMC TSCA Permit.

1. The Clay Mine is currently operating under a hazardous waste permit authorized under State of Michigan Act 64. Is it your understanding that the Michigan Department of Natural Resources must approve a modification of this permit before EPA approves the use of the Clay Mine as a toxic waste site?

2. In addition to the PCBs from the River Raisin site in Monroe, does EPA have any knowledge of any other sources of PCBs or other TSCA regulated substances that might also be transported to the Clay Mine? Does the proposed FMC TSCA permit allow unrestricted volumes of PCBs, or other TSCA substances -- even from outside of Michigan -- to be deposited at this site?

3. The Detroit Water and Sewer Department asserts that leachate containing PCBs may contaminate one of its nearby water mains. What precautions will be taken to ensure that such contamination will not occur?

4. Local municipalities and citizens in my Congressional District continue to believe that any PCBs deposited in the Clay Mine would constitute a threat to public health and safety. What actions does EPA intend to take, consistent with all applicable Federal laws and regulations, to ensure that the fears of my community will be alleviated and that no harm will come to the health of my constituents?

Mr. Valdas V. Adamkus
Page Two

August 29, 1994

5. Has EPA thoroughly examined all possible practical and feasible alternatives for the transport and disposal of the Raisin River PCBs, or other TSCA-regulated substances, that might be deposited into the Clay Mine? Please explain the cost-benefit analysis EPA utilized to determine the best alternative for disposing of these substances.

6. If FMC's application for a TSCA permit is approved, who will bear the responsibility and cost for monitoring the Clay Mine for any possible groundwater contamination or air pollution?

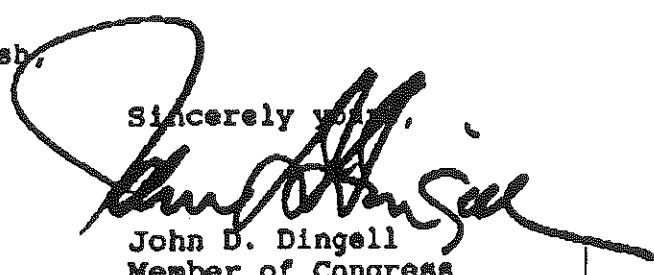
7. I am concerned about the existence of PCBs and other contaminants in the River Raisin dredge site. If EPA does not approve FMC's TSCA permit application, what actions will EPA take to provide for the timely and expeditious removal and disposition of these contaminants in the River Raisin?

Because this matter is important to the health and safety of my constituents, I request that EPA address the concerns contained in this letter prior to taking any action on the FMC TSCA permit application.

Thank you for your consideration of my views on this important matter.

With every good wish,

Sincerely yours,



John D. Dingell
Member of Congress

WS

cc: Michigan Department of Natural Resources
City of Dearborn
City of Allen Park
City of Melvindale

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

John Hannah Building, P.O. Box 30241, Lansing, MI 48909

ROLAND HARMES, Director

NATURAL RESOURCES
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JORDAN B. TATTER

September 14, 1994

Mr. Steve Johnson (SP-14J)
U.S. EPA Region V
Environmental Sciences Division
77 West Jackson Boulevard
Chicago, Illinois 60604

Dear Mr. Johnson:

SUBJECT: Draft TSCA Permit for the Ford Motor Company
Allen Park Clay Mine Landfill

This is a follow up to our telephone conversation regarding the management of leachate from the landfill that may be contaminated with PCB's.

The draft TSCA permit would require Ford to construct tanks to store and test leachate for PCB's prior to discharge to the City of Detroit sewer system. This leachate may also be considered hazardous waste. The storage of hazardous waste generated on-site is not subject to licensing under Michigan's Hazardous Waste Management Act, 1979, PA 64 as amended (Act 64), however, the waste must be stored no longer than 90 days in accordance with the generator storage requirements of Act 64. These requirements include compliance with the tank standards contained in 40 CFR 265 Subpart J.

If you have any questions, please contact me.

Sincerely,

Peter Quackenbush
Hazardous Waste Program Section
Waste Management Division
517-373-7397

cc: Mr. Jerry Amber, Ford Motor Co.
Mr. Richard Traub, EPA
Ms. Lorraine Kosik, EPA
Mr. Ken Burda, DNR/Operating License File
Mr. Steve Buda, DNR
Mr. Roger Jones, DNR
Dr. Ben Okwumabua, DNR-Livonia



71135



T. J. O'Brien, Director
Environmental Quality Office
Environmental and Safety Engineering

Ford Motor Company
Suite 602
15201 Centruy Drive
Dearborn, Michigan 48120

June 15, 1995

Valdas V. Adamkus
Regional Administrator
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

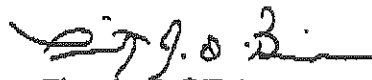
Dear Mr. Adamkus:

Subject: Ford Allen Park Clay Mine Landfill
Allen Park, Michigan
EPA ID. No. MID 980568711

With respect to your letter of May 2, 1995 to Mrs. Helen Petrauskas, Ford Motor Company (Ford) hereby withdraws, without prejudice, its application under the Toxic Substances Control Act (TSCA) for approval (pursuant to 40CFR761.75) of a PCB landfill at the Allen Park Clay Mine Landfill.

Ford remains committed, of course, to work with EPA, the Michigan Department of Natural Resources and local constituencies to support the necessary regional infrastructure to facilitate our mutual environmental objectives.

Sincerely yours,


Timothy J. O'Brien

cc: H. O. Petrauskas - Ford
Mayor Coogan - Melvindale
S. Gorden - DWSD
Mayor Guido - Dearborn
R. J. Harding - MDNR
J. E. Murray - Wayne Co.
Mayor Richards - Allen Park



711-23



Environmental & Safety

Communications

Ford Motor Company
The American Road
Room 822
Dearborn, Michigan 48121
Telephone: (313) 337-2458
Fax: (313) 323-8116

NEWS**STATEMENT**

Contact: Karen Holtschneider
(313) 322-7998

Ford Motor Company voluntarily has withdrawn its TSCA permit application for the Allen Park Clay Mine Landfill.

"This reflects a balancing of two important Ford principles - maintaining good community relationships and ensuring environmentally appropriate cleanups and disposals," explained Jerry Amber, manager of site management and investigation for Ford.

"We've been investigating alternative sites for disposal of River Raisin sediments containing PCBs," he added.

"Ford also is working with the Environmental Protection Agency, the Michigan Department of Natural Resources and local constituencies to support a regional infrastructure that will facilitate mutual environmental objectives."

The Allen Park Clay Mine Landfill will continue as an active, state-of-the-art, fully-licensed disposal site for non-hazardous industrial waste. Although a portion of the landfill has been licensed for hazardous waste disposal, those activities have been inactive since 1984.

####

6-15-95



IRAL RESOURCES
OMMISSION
JERRY C. BARTNIK
LARRY DEVUYST
PAUL EISELE
JAMES HILL
DAVID HOLLI
JOEY M. SPANO
JORDAN B. TATTER

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

John Hannah Building, P.O. Box 30241, Lansing, MI 48909

ROLAND HARMES, Director

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SEP 12 1994

August 26, 1994

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

Mr. Steve Johnson (SP-14J)
U.S. EPA Region V
Environmental Sciences Division
77 West Jackson Boulevard
Chicago, Illinois 60604

Dear Mr. Johnson:

SUBJECT: Draft TSCA Permit for the Ford Motor Company
Allen Park Clay Mine Landfill

Waste Management Division (WMD) staff have reviewed the revised draft Toxic Substance Control Act (TSCA) permit for the disposal of PCB waste in the Ford Allen Park Clay Mine landfill. Based on that review, WMD has compiled the attached list of comments for your consideration.

If you have any questions, please contact me.

Sincerely,

Peter Quackenbush
Senior Environmental Engineer
Hazardous Waste Permits Section
Waste Management Division
517-373-7397

Attachment

cc: Senator Carl Levin
Representative John D. Dingell
Mayor Gerald Richards, City of Allen Park
Mayor Micheal Guido, City of Dearborn
Mayor Thomas Coogan, City of Melvindale
Mr. Jerry Amber, Ford Motor Company
Mr. Richard Traub, U.S. EPA
Ms. Lorraine Kosik, U.S. EPA
Ms. LeAnne Redick, Governor's Washington D.C. Office
Ms. Mindy Koch, DNR
Mr. Jim Sygo, DNR
Mr. Al Howard, DNR
Ms. Leslie K. Bender, DNR
Mr. Ken Burda, DNR/Operating License File
Mr. Steve Buda, DNR
Mr. Roger Jones, DNR
Dr. Ben Okwumabua, DNR-Livonia

71121

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APR 13 1974

U.S. EPA REGION I
WATER MANAGEMENT DIVISION
OFFICE OF WRA
ARCH TO 30770

WMD COMMENTS ON THE FORD ALLEN PARK CLAY MINE
REVISED DRAFT TSCA PERMIT
August 26, 1994

1. Condition 3.c. under "SCOPE OF WORK" should be revised to clarify what "any concentration" refers to. (PCB's ?)
2. Condition 4.a. under "WASTE ACCEPTANCE" should be revised to clarify that "all PCB waste must be manifested."
3. Condition 12. under "LEACHATE COLLECTION AND DISPOSAL" should be revised to clarify that liquid collected from the secondary leachate collection or leak detection system is not considered leachate unless PCB's are detected in it.
4. Conditions 13. and 14. under "LEACHATE COLLECTION AND DISPOSAL" should be revised to specify that the leachate storage tanks must comply with the hazardous waste storage tank requirements of 40 CFR 265 Subpart J. These tanks would be subject to regulation under Act 64 as generator storage. These tanks would not be subject to licensing, provided the leachate is stored for less than 90 days.
5. Condition 15. under "LEACHATE COLLECTION AND DISPOSAL" should be revised to simplify it by stating that leachate less than 50 ppm is subject to all applicable regulations except TSCA and any leachate over 50 ppm is subject to TSCA regulation.
6. Condition 17. under "SOIL MONITORING AND CLEANUP" appears to be in conflict with condition 15 by stating that soils with PCB concentrations of 1 ppm or greater are considered PCB waste.
7. Conditions 18., 19. and 20. under "SOIL MONITORING AND CLEANUP" appear to be inconsistent with conditions 15 and 17.
8. Condition 21. under "SURFACE WATER MONITORING" should be revised to clarify how background must be established and that this must be completed prior to disposal of PCB waste.
9. Condition 22. under "SURFACE WATER MONITORING" should be revised to clarify when the sampling must commence, the word "unavailable" should be changed to available and it should specify following the procedure for sample collection and analysis.

10. Condition 24. under "GROUNDWATER MONITORING" should be deleted because maintaining the artesian groundwater condition is beyond Ford's control. They can only monitor it and report as required in conditions 25, 26, and 42. If for some reason the artesian condition changes then the facility should be required to chemically monitor the groundwater.
11. Condition 28. under "AMBIENT AIR MONITORING" should be revised to state that the analytical method for PCB analysis must achieve a detection limit of 0.1 ug/cubic meter.
12. Condition 33. under "CLOSURE" should be revised to clarify that the 10 inches of soil cover is required only if the soils are cleaned to the 10 ppm standard.
13. Conditions 34.-36. under "POST CLOSURE" should be revised to specify the length of time the monitoring will be required and what parameters will be required.
14. Condition 37. under "FINANCIAL ASSURANCE" should be revised to state "Ford Motor Co. must maintain ... as detailed in ..."
15. Condition 39. under "ANALYSIS" should be revised to clarify what the intent of "meet specific data requirement" is. (detection limits?)
16. Condition 41. under "ANALYSIS" should be revised to clarify what statistical interpretations are being referred to (surface water, soil, sediment, ...). Statistical evaluation of the leachate does not appear to be appropriate.
17. Condition 45. under "NOTICE AND REPORTING" should be revised to clarify if this applies to odor complaints received by Ford or Wayne County Air Pollution Control Division (WCAPCD). If WCAPCD, they would need to notify Ford that they had received a complaint.
18. Condition 46. under "NOTICE AND REPORTING" should be revised to clarify that this applies to only pure PCB's, or to waste containing the equivalent of 1 lb of PCB's.
19. Condition 47. under "NOTICE AND REPORTING" should be revised to clarify whether item a. allows Ford to not include information in items b-k for the first year report.

20. Condition 56. under "COMPLIANCE WITH OTHER GOVERNMENTAL REQUIREMENTS" appears to allow local government to pass ordinances that would prohibit the disposal of PCB's.
21. Condition 59. under "MODIFICATIONS" should be revised to specify that a major modification of Cell II would also require approval by MDNR.
22. Item g. under "WAIVERS" should be revised to clarify that the aquifer below the site is generally not usable as a public drinking water supply due to naturally occurring contamination. The State has not formally classified it as an unusable aquifer.

NATURAL RESOURCES
COMMISSION

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LY M. SPANO
JORDAN B. TATTER

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

John Hannah Building, P.O. Box 30241, Lansing, MI 48909

ROLAND HARMES, Director

June 22, 1994

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JUN 27 1994

OFFICE OF RCRA
WASTE MANAGEMENT DIVISION
EPA, REGION V

Ms. Jean Greensle
U.S. EPA Region V
Environmental Sciences Division
SP-14J
77 West Jackson Boulevard
Chicago, Illinois 60604

Dear Ms. Greensle:

SUBJECT: Draft TSCA Permit for the Ford Motor Company
Allen Park Clay Mine Landfill

Waste Management Division (WMD) staff have reviewed the draft TSCA permit for the disposal of PCB waste in the Ford Allen Park Clay Mine landfill. Based on that review, WMD has compiled the attached list of comments for your consideration.

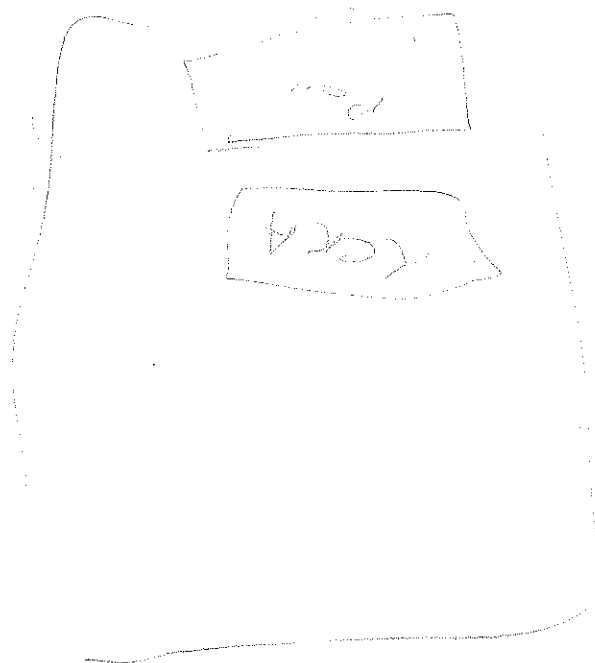
If you have any questions, please contact Mr. Peter Quackenbush at Waste Management Division, Department of Natural Resources, P.O. Box 30241, Lansing, Michigan 48909, or at telephone number 517-373-7397.

Sincerely,

Kenneth J. Burda, Chief
Hazardous Waste Permits Section
Waste Management Division
517-373-0530

cc: U.S. Senator Carl Levin
U.S. Representative John Dingell
Mayor Gerald Richards, City of Allen Park
Mayor Micheal Guido, City of Dearborn
Mayor Thomas Coogan, City of Melvindale
Mr. Jerry Amber, Ford Motor Company
Mr. Richard Traub, EPA
Ms. Lorraine Kosik, EPA
Ms. Mindy Koch, DNR
Mr. Jim Sygo, DNR
Mr. Al Howard, DNR
Mr. Steve Buda, DNR/Operating License File
Mr. Peter Quackenbush, DNR
Mr. Roger Jones, DNR
Dr. Ben Okwumabua, DNR-Livonia





WMD COMMENTS ON THE FORD ALLEN PARK CLAY MINE
DRAFT TSCA PERMIT

In general, we find the language in the draft permit to be vague, imprecise, and often grammatically incorrect. This leads to concern regarding interpretations of the permit conditions and its enforceability. Below are more specific concerns regarding this draft permit.

1. We recommend that the section "BACKGROUND" be removed from the body of the permit. This information regarding the TSCA program and the proposed facility does not include specific operating requirements for the facility. It appears that this information is more appropriate for the fact sheet describing the draft permit and the process for the agency's review and final determination.
2. We recommend that the section "FINDINGS" be removed from the body of the permit. This information regarding the facility and their application is the basis for preparing the draft permit and not specific operating requirements for the facility. It appears that this information is more appropriate for the fact sheet describing the draft permit and the process for the agency's review and final determination.
3. In addition, the following items under "FINDINGS" need clarification:
 - a. Paragraph 2 should read "Ford Motor Company demonstrated the capability of the Allen Park Clay Mine as a PCB disposal facility to the U.S. EPA by means of an application for a PCB disposal permit."
 - b. Paragraph 3.c. is unclear. This should be clarified to specify when the three days starts, where this truck staging would occur, and what the provision for disposal of waste exceeding 30 day storage period is all about.
 - c. Paragraph 3.d. must be revised to specify that the facility will not accept PCB waste that is not compatible with existing waste streams managed at the facility. Placing incompatible material or waste in the hazardous waste cell is a violation of the company's hazardous waste operating license.
 - d. Paragraph 3.e. should be revised to clarify that the facility monitors the artesian condition of the groundwater.

e. Regarding paragraph 3.f. it should be noted that Michigan law only requires manifesting of hazardous and liquid industrial wastes. The PCB waste accepted at the facility should not meet either of those designations so manifesting would not be required unless EPA has a special manifesting requirement under the TSCA program.

f. Paragraph 3.h. should be revised to read "providing financial assurance for closure etc....." This paragraph should also clarify what the "support facilities" are.

g. Sentence one of paragraph 4. should be revised to clarify that, ".... landfilling of PCBs and other wastes in Cell II in accordance with the operating requirements specified in the facility's hazardous waste operating license." In addition the last sentence should be revised to clarify that, "The soil mechanical properties of the PCB waste must have sufficient strength to support the overlying waste and landfill cover system."

4. We recommend that the section "CONDITIONS FOR APPROVAL" be changed to "PERMIT CONDITIONS" and the following items in this section be revised for clarification:

a. Condition 3.a. "SCOPE OF WORK" should be revised to clarify that no PCB waste containing free liquids will be allowed for disposal. The hazardous waste operating license specifically prohibits waste containing free liquid from being placed in the landfill. Free liquid is defined as liquids which readily separate from the solid portion of a waste under ambient temperature and pressure.

b. Condition 3.b. "SCOPE OF WORK" should be revised to clarify that no PCB waste that is incompatible with other waste within Cell II will be allowed for disposal. The hazardous waste operating license specifically prohibits incompatible waste from being placed in the landfill.

c. Condition 4. "THE PROCESS" should be revised to specify that "The permittee must dispose of PCB waste in accordance with the following sequence:

d. Condition 4.a. "THE PROCESS" should be revised to capitalize the first word and to specify what is

requires by the inspection of waste prior to acceptance at the facility. In addition, it should be noted that manifests may not be required to transport the waste material if it is not hazardous or in liquid form.

- e. Condition 4.b. "THE PROCESS," the first sentence should be deleted unless it is EPA's intent that the facility follow the hazardous waste acceptance procedures for PCB wastes. If this is the intent, the sentence should be revised to specify that the permittee follow the waste acceptance procedures in the hazardous waste operating license. In addition, the intent of the second sentence is unclear. This sentence should be revised to clarify what is being required of the permittee.
- f. Condition 4.c. "THE PROCESS," should be revised to capitalize the first word and state, "...identification number for waste placement and be logged into ..." In addition, it is not clear why segregation of the waste is being required if none of the materials disposed in Cell II are allowed to be incompatible.
- g. Condition 4.d. "THE PROCESS," should be revised to capitalize the first word. In addition, the second sentence should be revised to specify that "The permittee must follow the attached traffic plan when entering Cell II for waste disposal." The plan should include a drawing showing traffic flow and any staging area.
- h. Condition 4.e. "THE PROCESS," should be revised to capitalize the first word and state that, "All vehicles that enter Cell II must be cleaned in the vehicle wheel wash before exiting the facility."
- i. Condition 5. under "DISPOSAL" allows disposal of non-liquid PCB waste of any concentration which conflicts with condition 3.a. that limits the concentration of non-liquid PCB waste to below 500 ppm.
- j. Condition 6. under "DISPOSAL" should be revised to delete the reference to incompatible waste since the facility is not allowed to accept incompatible waste and specify that, "The soil mechanical properties of the PCB waste placed in Cell II must have sufficient strength to support the overlying waste and landfill cover system."

- k. Conditions 7., 8. and 9. under "DISPOSAL" should be revised to clarify what is being required of the permittee regarding disposal of these wastes and restate the waste containing free liquids must not be disposed in Cell II.
- l. The waste described in condition 10. under "DISPOSAL" would most likely not be allowed for disposal under the hazardous waste operating license due to the fact that the specified solids content (greater than 2%) indicates that free liquid may be present. The waste described in condition 11 would definitely not be allowed for disposal due to presence of free liquid if the solids content is only 0.5%.
- m. Condition 12. under "DISPOSAL" should be revised to specify that in order to comply with the no free liquid requirement, prior to acceptance at the facility the PCB wastes may be treated by dewatering or use of non-exothermic additives such as bentonite or a sand-charcoal mix. The last sentence should be revised to clarify what the specific air monitoring requirements are for exothermic treatment.
- n. Condition 14. under "DISPOSAL" should be deleted since liquid waste is not allowed for disposal.
- o. Condition 15. under "DISPOSAL" should be deleted since it was already specified in condition 6. that the waste must have sufficient strength to support the overlying waste and landfill cover system and condition 12 as revised above refers to examples of non-exothermic additives. In addition, the facility is not authorized to perform any treatment such as applying additives to the waste as it is placed.
- p. Condition 16. under "DISPOSAL" should be revised to clarify what truck parks are and specify that all waste accepted by the facility must be disposed within 24 hours.
- q. Condition 17. under "LEACHATE COLLECTION AND DISPOSAL" should be revised to reflect the fact that the current design of the landfill does not include subcells and that leachate is continuously discharged to the local sanitary sewer system. It should be noted that any revision to the design of the landfill will require review and approval by the Waste Management Division of MDNR and may require modification of the hazardous waste operating license.

- r. Condition 18. under "LEACHATE COLLECTION AND DISPOSAL" should be revised to state, "The leachate collection and leak detection systems must be ..."
- s. Condition 19. under "LEACHATE COLLECTION AND DISPOSAL" should be revised to clarify what is being required of the facility regarding their discharge to the sanitary sewer. If the intent is not to have the facility discharge to the sanitary sewer during a combined sewer overflow, it is unclear how this would be determined and enforced.
- t. Condition 20. under "GROUNDWATER" should be deleted since maintenance of the artesian groundwater condition is beyond the control of the permittee. The permittee is required to monitor the artesian condition of the groundwater.
- u. Condition 21. under "GROUNDWATER" should be revised to state that "Groundwater monitoring must be conducted by means of potentiometric measurements, groundwater contour maps and recording of the volume of water pumped from the Cell II artesian water collection system."
- v. Condition 22. under "CLOSURE" should be revised to state that, "The facility must be closed in accordance with the approved closure plan in the hazardous waste operating license."
- w. Condition 23. under "ANALYSIS" should be revised to delete the "a" before relevant.
- x. Condition 24. under "ANALYSIS" should be revised specify that the required methodologies and QA/QC are attached to this permit.
- y. Condition 25. under "ANALYSIS" should be revised to state that, "SW 846 method 624 or 8240 shall be used for the analysis of chlorinated organics."
- z. Condition 27. under "NOTICE AND REPORTING" should be revised to state that, "... must be notified within ___ days if the potentiometric monitoring determines that the artesian groundwater elevation at any monitoring point is less than 567 feet above mean sea level. Potentiometric elevations at monitoring wells 2-D, 5-D, 10-D, 102-D, 103-D, 104-D, and 105-D must ..."

- A. Condition 29.a. under "NOTICE AND REPORTING" should be revised as follows to correct typographical errors: "... TSCA physiochemical sampling ... measurements, quarterly ..."
- B. Condition 29.c. under "NOTICE AND REPORTING" should be revised as follows, "... and liquid volume from the leak detection system;".
- C. Condition 29.d. under "NOTICE AND REPORTING" should be revised as follows, "monthly analysis of leachate samples..." and to specify that the method numbers referenced are from SW 846.
- D. Condition 29.e. under "NOTICE AND REPORTING" should be revised as follows, "quarterly analysis of lysimeters, soils along the roadway, sediment, and surface water samples including;". In addition, this condition should be revised to specify that pH and specific conductance only apply to liquid samples and to specify that the method numbers referenced are from SW 846.
- E. Conditions 29.f. and g. under "NOTICE AND REPORTING" should be revised to reflect the fact that the facility currently discharges leachate to the City of Detroit sewer system without treatment and is required to meet the sewer use discharge limitations.
- F. Condition 30. under "SAFETY AND HEALTH REQUIREMENTS" should be revised to specify the frequency and location of the ambient air monitoring for PCBs.
- G. Condition 31. under "SAFETY AND HEALTH REQUIREMENTS" should be revised to specify the timeframe for submittal of the PCB ambient air monitoring program for review and approval by Wayne County Air Pollution Control Division (WCAPCD) and EPA. This program must be approved and implemented prior to acceptance of PCB waste at the facility. We recommend that this condition also specify that the permittee submit the monitoring data to WCAPCD and EPA within 60 days of sample collection of 7 days of receipt of the analytical results, whichever is sooner.
- H. Condition 32. under "SAFETY AND HEALTH REQUIREMENTS" should be revised to specify that the permittee must submit a program for review and approval by EPA to monitor soils along the entrance road, and in the sedimentation basin for PCBs. This condition should

also specify what the prescribed corrective action is if the concentration of PCBs exceeds 1 ppm. Under the Michigan Environmental Response Act (MERA), 1982 P.A. 307, the risk based direct contact concentration for PCBs in soil is 1 ppm.

- I. Condition 33. under "SAFETY AND HEALTH REQUIREMENTS" should be revised as follows; "Ford Motor Company, Inc. must comply with all applicable Federal, State, and local health, safety and environmental regulations."
- J. Condition 34. under "SAFETY AND HEALTH REQUIREMENTS" should be revised as follows; "Ford Motor Company, Inc., must comply with the Environmental Emergency Contingency Plan, Attachment ____ of this permit. The permittee must submit to EPA for review and approval, a program for health monitoring and training that complies with 29 CFR 1910.120(p). This program must at a minimum address personal hygiene, worksite air monitoring, employee and plant wipe testing, and worker training."
- K. Condition 36. under "FACILITY SECURITY" should be revised as follows, "The facility must be secured to control public access by means of fences, gates, alarms. The facility security equipment must be inspected weekly and maintained in proper working order."
- L. Condition 38. under "COMPLIANCE WITH REGULATIONS" should be revised as follows, "This permit does not relieve..."
- M. Condition 39. under "RECORDKEEPING" should be revised as follows, "Ford Motor Company, must maintain the following records for all PCB waste received at the facility:
 - a. The quantity of waste expressed in cubic yards;
 - b. The name, address and phone number of the person or company that generated the regulated material;
 - c. The date the PCB waste was taken out of service for disposal, the date it was received and the date it was disposed;
 - d. The name of Ford Motor Company supervisor for the Allen Park Clay Mine on the date of receipt.

These documents must be maintained for at least 20 years after the facility ceases disposal of PCBs. These records must be kept at one centralized location, and must be made available for inspection by authorized representatives of U. S. EPA."

- N. Condition 40. under "MODIFICATION" should be revised as follows, "For the purpose of this permit, "major modification is defined as..."
- O. Condition 41. under "INSPECTION" should be revised as follows, "The U. S. EPA reserves the right for its authorized representatives at reasonable times to observe..." The last sentence should be deleted.
- P. Condition 42. under "AGENCY APPROVAL/PERMITS" should be deleted since this financial assurance information will have been provided prior to issuance of this permit.
- Q. Condition 43. under "AGENCY APPROVAL/PERMITS" should be deleted since the permit already requires compliance with applicable federal, state and local regulations and verification that the appropriate approvals or permits have been obtained should be provided to EPA before issuance of this permit.
- R. Condition 44. under "AGENCY APPROVAL/PERMITS" should be revised as follows: first sentence, "...before transferring ownership of the facility."; third sentence, "...name for the owner/permittee or require..."; fifth sentence, "...of sale or transfer or to provide this information in the timeframe required, this permit will be revoked."; sixth sentence, "...of the transfer of ownership."
- S. Condition 45. under "SEVERABILITY" should be revised to specify that this is a permit and that "this permit is not affected thereby."
- T. Condition 46. under "EXPIRATION/RENEWAL" should be revised as follows, "This permit to operate will expire...", the references to approval should be changed to permit, and specify that the renewal request be submitted at least 180 days prior to the expiration date of this permit.
- U. Condition 47. under "PERMIT REVOCATION/SUSPENSION/CANCELLATION" should be revised as follows: CANCELLATION should be deleted from the title since it

is not presented as an option in the text, and the first sentence should refer to "this permit".

5. We recommend that the section "WAIVERS" be removed from the body of the permit. This information providing the basis for waiving certain requirements in the permit is more appropriate for the fact sheet describing the draft permit and the process for the agency's review and final determination.
6. In addition, the following items under "WAIVERS" need clarification:
 - a. Paragraph 1. should read, "The TSCA regulations allow for a waiver of the requirement in 40 CFR 761.75(b)(3) that, 'The bottom of...' This requirement is being waived for the following reasons:"
 - b. Paragraph 1.a. should refer to an "impermeable clay layer".
 - c. Paragraph 1.c. should be revised to read, "...separated by a five foot recompacted clay liner, ..."
 - d. Paragraph 1.d. should be revised to read, "The facility design includes a leachate collection and leak detection system."
 - e. Paragraph 1.e. should be revised to read, "There is a relatively impermeable clay layer below the landfill liner system that varies between 40 to 60 feet in thickness. This clay layer prevents the underlying artesian aquifer (under upward pressure) from migrating to the ground surface."
 - f. Paragraph 1.i. should be revised to read, "The liquid entering the artesian water collection system is being collected and removed from under the landfill liner. This artesian water collection system will also serve as a second leak detection and removal system."
 - g. Paragraph 1.j. should be deleted based on the addition of the second sentence in f. above.
 - h. Paragraph 1.g. should be revised to read, "The artesian aquifer below the site contains natural contaminants that prevent it from being used as a source of public drinking water."

- i. Paragraph 2. should be revised to read, "The chemical groundwater monitoring requirement contained in 40 CFR 761.75(b)(ii)(A) is being waived for this facility based on the existence of a thick, relatively impermeable, clay layer and the artesian aquifer below the landfill which causes an upward migration of water into the clay. In place of chemical groundwater monitoring, the facility chemically monitors the leachate collection and leak detection system and monitors the artesian condition (upward pressure) of the aquifer below the site."
 - j. Paragraph 3. should be deleted since it is covered by the fact that chemical groundwater monitoring is being waived.
7. We recommend that the information contained under "APPROVAL" should be included as part of the "PERMIT CONDITIONS." In addition the following items should be revised for clarification:
- a. The opening paragraph should be deleted since the permit will not be issued unless the application demonstrates compliance with the TSCA requirements.
 - b. Paragraph 1. should be revised to specify that Ford Motor Company is authorized to dispose of TSCA regulated material, and to make the information referenced in the application an enforceable part of this permit.
 - c. Paragraph 3. should be revised to refer to "this permit" and specify that "...'application' is defined..."
 - d. Paragraph 4. should be revised to delete the first sentence since this has already been stated. The second sentence should state, "...regulations are subject to enforcement..." In addition, the word "approval" should be replaced by "permit."
 - e. Paragraph 5. should be correctly identified and revised to state, "Ford Motor Company is responsible..." and, "but not limited to, any advance, emergency, or accident reporting requirements."
 - f. Paragraph 6. should be correctly identified.



CITY OF DETROIT
WATER AND SEWERAGE DEPARTMENT
LIVERNOS CENTER

303 S. LIVERNOS AVENUE
DETROIT, MICHIGAN 48209

September 29, 1994

Mr. Jerome S. Amber, Manager
Ford Motor Company -
Wastes and Hazardous Substances
Environmental Quality Office
15201 Century Drive, Suite 608
Dearborn, MI 48120

RE: Allen Park Landfill - PCB Disposal Issue

The Detroit Water and Sewerage Department ("Department") requests a meeting with Ford Motor Company to address outstanding issues regarding the Allen Park Clay Mine Landfill site. Although we have received some information, we have not received enough information on the project to make a decision which would address all the technical and non-technical issues. As an environmentally conscious public agency, the Department's objective is to reach a decision only after full consideration of all of the salient facts and information concerning the site. Our duty to the public and to the local environment of Southeastern Michigan demands nothing less.

The September 1992 Consent Order, under which the Allen Park Landfill currently operates, neither contemplates nor authorizes a discharge of leachate from an additional proposed TOSCA licensed cell dedicated to the disposal of PCBs. The Department believes Ford must request a modification to the Consent Order and receive the approval of the Department before the release of any new discharge from the site. Due to the complexity of the issues surrounding the site, and the number of individuals involved in this matter, the Department wishes to expedite the review process. By copy of this letter, the Department requests that any action the Environmental Protection Agency or the Michigan Department of Natural Resources anticipates taking, be held in abeyance until Ford Motor Company has had an opportunity to respond to this letter and meet with the Department.

The following minimal information is needed from Ford Motor Company regarding the Allen Park Clay Mine Landfill and the proposed project before the Department can issue a final decision on the matter.

A. River Raisin Project

1. What is involved in and/or proposed for the River Raisin cleanup? In short, fully describe the project including but not limited to the proposed remediation plan.
2. What limitations or restrictions are there on the types of materials which will be accepted at the Allen Park Landfill from the River Raisin ?
3. What will be the nature and condition of the materials proposed for burial at Allen Park, that is, solid, liquid, drums, etc.? What conditioning will the material be subjected to, e.g., dewatering (to what %solids)? Will the landfill accept regulated wastes from any source as authorized by TOSCA?

DENNIS W. ARCHER, MAYOR

7/11/83

4. What is the anticipated duration of the project from mobilization to final reporting?

5. Please submit a copy of any Consent decree, Administrative Order or other document mandating or authorizing the cleanup and a copy of any proposed work plan, remedial investigations/field studies or related documentation.

B. TOSCA Application

1. Please provide a copy of any and all feasibility and engineering studies performed, conducted, or authorized by Ford Motor Company with respect to its TOSCA permit application.

2. Please provide any analyses, assessments, studies, or evaluations of the impact of the proposed TOSCA facility on any existing, or proposed sewers or water lines servicing or in close proximity to the landfill.

3. Please provide any analysis made on the potential of PCB or other pollutants present in the leachate, to pass-through to the Detroit publicly owned treatment works.

Please identify all measures which Ford Motor Company can and will take to prevent or alleviate the potential for pass-through or interference.

4. What are the nature and types of materials which are proposed for acceptance at the TOSCA cell? Please submit any and all marketing plans, business plans or target markets related to the use of the TOSCA licensed facility.

5. Please provide any and all evaluations, documentation, data, studies or analyses of alternatives to discharge into the Detroit water and sewer system, including but not limited to use of the existing stormwater discharge connection, for which a stormwater permit application is presently pending before the Michigan Department of Natural Resources, or other potential direct discharge alternatives.

6. Please submit any and all information regarding the volume or character of leachate from the proposed PCB cell at the landfill, including proposed monitoring plans (including monitoring pattern and frequency), and the flow and volume of leachate from the TOSCA cell. Please include any anticipated seasonal variations in these operations.

7. Please submit copies of any environmental assessments, or any environmental risk analyses performed, conducted, or authorized by Ford Motor Company with respect to its TOSCA permit application.

C. Allen Park Clay Mine Landfill

1. Please provide a copy of any documentation, analyses, assessments, studies, information or data which Ford Motor Company has relied upon,

reviewed or received in evaluating the potential for infiltration of PCBs into the existing landfill operation, including but not limited to the interrelationship or interaction of the leachate from the entire landfill with the leachate from the proposed new TOSCA cell.

2. Is there any treatment being contemplated at the site to pre-treat this proposed new wastestream? If not, why not. Please submit a copy of all feasibility studies, assessments, analytical data and/or test results evaluating the feasibility of any proposed treatment system at the site.

3. Please provide any and all analyses, assessments, documentation or studies Ford Motor Company has relied on, prepared or reviewed in assessing the capabilities of activated carbon or other treatment systems to remove PCBs from any leachate generated from the TOSCA cell.

4. Please submit any and all existing data regarding PCB concentrations in the leachate of the landfill.

5. Please provide any and all existing information regarding the volume and character of leachate and water from the landfill. Include any information on the volume of artesian spring water.

We have attempted to be as descriptive as possible in articulating the information we need to properly assess the matter. Following the submission of the requested information, the Department will need some time for review and to evaluate the information. A meeting can be arranged after we have assessed the information submitted. Please contact me at (313) 297-9401 if you have any questions.

Sincerely yours,



Stephen J. Kuplicki, P.E.
Manager, Industrial Waste Control Division

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Ford
Monroe
Workgroup
Fy1

June 18, 1995

Ford calls off PCB permit quest

by Joseph Cabadas

Staff Writer

DEARBORN — Local officials and environmentalists claimed victory when Ford Motor Company announced Thursday that it is withdrawing its application to dispose of PCB contaminated soil in the Allen Park Clay Mine landfill.

Ford's decision means that the cleanup of the River Raisin, next to the Ford Monroe Dumping Plant, will be delayed until a new disposal site is found, said Ford spokesperson Karen Holtschneider. Meanwhile, the auto-

maker still plans to use the landfill to dispose of non-hazardous industrial wastes and will press ahead to renew a state hazardous waste license.

OFFICIALS IN Allen Park and Melvindale were cautiously optimistic Thursday regarding Ford's withdrawal.

"It sounds great," said Allen Park Engineer John Kozuh. "I'd like to see some sort of verification."

Melvindale Mayor Thomas Coogan said, "I haven't gotten anything in writing... If it's true, then it's a victory for this area and for the

people who marched and sent petitions in.

"That stuff has to be destroyed, not moved from one area to another," he said. "It's a horrendous chemical."

"I'M DELIGHTED that this has happened," said State Sen. George Hart, D-Dearborn. "I feel that when the (Michigan) attorney general announced that Ford had to seek approval from the (Department of Natural Resources) that it forced them to take this action."

Although the landfill has not been used to dispose of hazardous wastes since 1984, Ford officials said, the company wants to renew its

hazardous waste disposal permit with DNR. Ford officials contended that the Environmental Protection Agency had the sole authority to permit the disposal of PCBs.

However, on Feb. 21, Frank Kelley issued an opinion that said Ford must obtain the DNR approval. By modifying its license to include PCBs, an additional series of public hearings would have had to have been held.

Also, on May 2, the EPA told Ford that it had 45 days to come up with a plan on how to deal with rainwater runoff, called leachate, from the

See FORD — Page

Ford

Continued from Page 1-A

the landfill. The Detroit Water and Sewer Department refused to accept any leachate from the landfill because it did not want to violate its permit.

Hart's office leaked the word about Ford's withdrawal to the Dearborn Press & Guide (a Heritage newspaper) before the company had time to inform the Environmental Protection Agency.

"OBVIOUSLY, SENATOR Hart preempted us," Holtschneider said.

"There are two reasons why (we are withdrawing)...We want to make sure that we doing most environmentally sound cleanup possible...Also, we were concerned about role in corporate citizenship. If something looks like it is going to be a win-lose situation then it probably isn't the best option."

"We won't begin removing sediment from the Raisin River until we find a new site," she said. "We will also have to take into consideration the nesting habits of the eagles at the (Monroe) site."

HART SAID that he learned from Ford that a company with a landfill "in Romulus or Belleville" would handle the disposing of the contaminated soils.

Neither Holtschneider nor an official at the disposal company were able to confirm or deny Hart's comment as of press time.

A spokesman for the Sierra Club, Ed McArdle, said that his group would still fight Ford if they tried to dump the contaminated soil somewhere else in Michigan.

McARDLE SAID that a disposal method called the Eco Logic Process would destroy the PCBs on site. Ford officials, however, have said that the Eco Logic Process would not work on the type of soils that would come from the River Raisin.

"The landfill will continue to be an active site for nonhazardous

waste until it is filled up. We haven't used it for hazardous waste since 1984," Holtschneider said.

The landfill does have a 12.6 acre site, called a cell, that was constructed to hold 650,000 cubic yards of hazardous waste. It has two multi-layered liners of high-density poly-

ethylene separated by five feet of clay and a leak detection system which is over a clay base that is 40 feet deep.

"That cell is fully constructed and was not specifically built to hold PCBs. It will remain empty until we need it," Holtschneider said.

Ford dumps plan to dispose PCBs in Allen Park landfill

By Kimberly Thomas

The Detroit News 6/1/6

Ford Motor Co. will abandon its controversial plan to dump hazardous PCBs at a landfill in Allen Park.

"We have been asked by the EPA and the (state Department of Natural Resources) to look at other locations," Ford spokesperson Karen Holtschneider said.

The auto company will send a letter to the Environmental Protection Agency to officially ask for a withdrawal of the permit application requesting the PCB disposal, Holtschneider said.

The move is a victory for environmental activists and area residents outraged by the proposal.

"It's good news for us if they're not going to put PCBs here," said Brenda LiveOak, chairperson of Oakwood Envi-

ronmental Concerns Association, which collected 2,600 signatures against the dumping.

However, LiveOak said she would prefer an alternative disposal of the PCBs besides landfilling because of the risk of leakage into the water supply and other environmental hazards.

"This is not the way to handle toxins and I think history is going to show that," she said.

Ford considered the landfill, which it owns, a good site because of its proximity to the clean-up site at the River Raisin and the landfill's thick clay bottom.

The removal of the PCBs from the River Raisin may be delayed because of the search for a new landfill site, said Holtschneider.

The PCBs were disposed there years ago by a Ford plant.

NATURAL RESOURCES
COMMISSION

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JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

John Hannah Building, P.O. Box 30241, Lansing, MI 48909

ROLAND HARMES, Director

December 14, 1994

*cc: J. Jodice
A. Ischam
J. Huff
Rec'd
12/30/94
JK*

Mr. Duane Wydendorf
Clerk
City of Dearborn
City Hall
13615 Michigan Avenue
Dearborn, Michigan 48126

Dear Mr. Wydendorf:

SUBJECT: PCB Disposal at the Ford Allen Park Clay Mine

Thank you for providing the Department of Natural Resources (Department) with the October 21, 1994 resolution from the City of Dearborn. Director Roland Harmes has asked me to respond to the concerns expressed in the resolution regarding the disposal of polychlorinated biphenyl (PCB) waste at the Ford Allen Park Clay Mine facility.

The PCB waste is specifically regulated under the federal Toxic Substance Control Act (TSCA) which is administered in Michigan by the U.S. Environmental Protection Agency (U.S. EPA) from the Region 5 office in Chicago. Under TSCA, Ford has the ability to apply to U.S. EPA for a permit for disposal of PCB waste at the Allen Park Clay Mine. The U.S. EPA is required to review the application to determine if the proposed disposal satisfies the regulatory requirements of TSCA. The U.S. EPA decision on whether to issue the permit will be based on the technical merits of the application and the relevant public comment regarding technical compliance with the TSCA regulations.

The Department has reviewed the draft TSCA permit and provided U.S. EPA with comments regarding compliance with TSCA and the existing Department license issued to the facility pursuant to Michigan's Hazardous Waste Management Act, 1979 PA 64, as amended.

Your resolution expressed concern regarding contaminants from the landfill entering the public water supply through a water main in the roadway adjacent to the landfill. The landfill was constructed with two liners, a leachate collection and removal system, a leak detection and removal system, and is surrounded by an extensive natural clay layer



10-31

Mr. Duane Wydendorf

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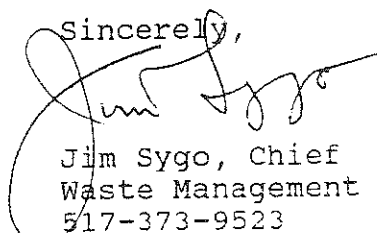
December 14, 1994

which will prevent migration of contaminants out of the landfill. In the event contaminants from any source were to exist in the vicinity of the water main, the fact that the water main is pressurized would not allow contaminants to enter the public water supply.

The issues regarding the location of the 100-year floodplain for the area around the facility cannot be resolved until the U.S. Army Corps of Engineers finalizes the new floodplain maps.

Thank you for providing your concerns to the Department. If you have any question regarding this information, please contact Mr. Peter Quackenbush, Senior Environmental Engineer, Waste Management Division, at telephone number 517-373-7397, or me.

Sincerely,



Jim Sygo, Chief
Waste Management Division
517-373-9523

cc: Mr. Steve Johnson, U.S. EPA
~~Ms. Lorraine Kosik, U.S. EPA~~
Director Roland Harmes, DNR
Mr. Russell J. Harding, DNR
Mr. Ken Burda, DNR/HWP C&E File
Mr. Peter Quackenbush, DNR
Dr. Ben Okwumabua, DNR-Livonia

Ford Monroe Routing List

<u>Name</u>	<u>Organization</u>	<u>Phone</u>	<u>Address and Mail Code</u>
_____	Mardi Klevs,	3-5490,	WC-15J
_____	Amy Pelka,	6-0135,	WS-16J
_____	Rich Traub,	6-6136,	HRP-8J
✓	Shari Kolak,	6-6151,	HRP-8J
_____	Leon Acierto,	6-6702,	WC-15J
✓	Tom Martin,	6-4273,	CA-3
✓	Matt Williams,	3-4934,	WS-16J
✓	Ken Westlake,	3-1327,	R-19J
✓	Bonnie Eleder,	6-4885,	HSRW-6J
_____	Dave Petrovski,	6-0997,	HRP-8J
✓	Steve Johnson,	6-1330,	SPB-14J
✓	Scott Cooper,	6-1332,	SP-14J
_____	Rich Winklhofer,	216-522-7260, fax)	216-522-2295
_____	SEDO,	25089 Center Ridge Road,	Westlake, Ohio 44145
✓	Valentin, Pablo,	3-5592,	HSRW-6J
_____	Steve Garbaziak,	3-0117,	GR-9J
_____	Bill Tong,	6-9380,	WD-15J
_____	Bob Tolpa,	6-6706,	WC-15J
_____	Howard Zar,	6-1491,	W-15J
_____	John Perrecone,	3-1149,	P19-J
_____	Don Deblasio,	6-4360,	P-19J
_____	Larry Leveque,	6-4359,	P-19J
✓	John Steketee,	6-0558,	CA-3T
✓	Roger Jones,	Surface Water Quality Division,	MDNR,
_____	P.O. Box 30273,	Lansing, MI	48909

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

Stevens T. Mason Building, P.O. Box 30273, Lansing, MI 48908

ROLAND HARMES, Director

NATURAL RESOURCES
COMMISSIONJERRY C. BARTNIK
LARRY DEVLUYST
PAUL ESSE
JAMES HILL
DAVID HOLLI
JOEY M. SPANO
JORDAN B. TATTERRECEIVED
ENVIRONMENTAL
QUALITY
DIVISION

'94 DEC 34 P2:38

December 22, 1994

Ms. Phyllis James
City of Detroit
1126 City-County Building
Detroit, Michigan 48226

TO: <u>STEVE JOHNSON</u>		FROM: <u>JEFF HARTLUND</u>	
BLDG.	RM.	BLDG.	RM.
TELEPHONE		TELEPHONE <u>313/322-0700</u>	
FAX NO.		FAX NO.	

Dear Ms. James:

11/90 1584

FOR YOUR INFO —

This letter is a follow-up to our meeting of December 6, 1994 regarding the Ford Allen Park Clay Mine Landfill.

Enclosed is draft language developed by staff of the Surface Water Quality Division which would provide an affirmative defense for the City of Detroit if an effluent violation of your National Pollutant Discharge Elimination System (NPDES) permit resulted from a detectable discharge of PCB from the Ford Allen Park Clay Mine Landfill site. We would plan on incorporating this language into the NPDES permit at such future time when the City of Detroit and Ford have reached agreement on this issue.

I would also like to clearly explain our position on how a discharge from the Ford Allen Park Clay Mine Landfill to the City of Detroit wastewater collection system would be evaluated for purposes of compliance with the PCB minimization requirements of your NPDES permit. We would consider the City of Detroit to be in compliance with this provision if the effluent from the landfill was required to be less than the analytical level of detection (at a detection level not to exceed 0.2 ug/l) and the landfill was implementing a PCB minimization plan which addressed all reasonable operational, management, maintenance and monitoring actions that were to be taken to minimize any PCB that might get into the landfill effluent. These actions could consist of the types of things discussed at our December 6, 1994 meeting, e.g., treatment of the effluent with sand and carbon filters; waste segregation; daily cover to prevent storm water runoff contamination with PCB; monitoring of sediments in the Detroit sewer system catch basins upstream and downstream of the landfill effluent discharge point; minimizing the liquid content of any materials put into the landfill; batch collection, monitoring and treatment of effluent prior to discharge to the Detroit sewer system, etc. These and other similar actions would minimize the discharge of PCB to the Detroit sewer system and thus minimize the risk of any impact or the Detroit sewer system on the environment.

This approach is consistent with the approach taken by this Department in the Detroit NPDES permit and many other permits which have limitations for chemicals like PCB which have a water quality standard which is much less than the level of analytical detection because they are highly persistent and bioaccumulative chemicals. The rationale for this approach is that, from a scientific point of view, the actual concentration of PCB in the effluent is unknown if it is less than the level of analytical detection. Therefore, we have used the approach for these chemicals that an effluent concentration of less than detection combined with a program to minimize any



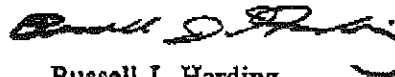
Ms. Phyllis James
Page 2
December 22, 1994

contributions of the chemicals to the effluent would constitute compliance with the permit. This approach is a practical solution to a difficult technical problem of how to address highly persistent and bioaccumulative chemicals in permits so that the environment is protected without unreasonable disruption of needed societal and economic activities.

Please provide any comments on our suggested draft language to Mr. Richard Powers (517-335-4175) of our Surface Water Quality Division. Mr. Powers could also provide additional information on the above issues if you so desire.

Thank you for your willingness to continue to work to find a solution to this difficult problem.

Sincerely,



Russell J. Harding
Deputy Director
517-373-7917

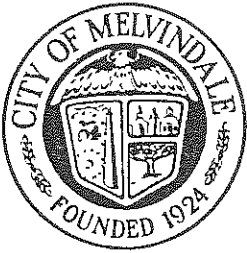
Enclosure

cc: Mr. Tim O'Brien, Ford Motor Company
Mr. Richard Powers, MDNR

PART I

Section A.1.a.

*The water quality-based effluent limitations for PCBs and mercury are less than the level of detection using the specified analytical methods. The detection level shall not exceed 0.2 ug/l for PCBs and 0.2 ug/l for mercury, unless higher levels are appropriate because of sample matrix interference. Any discharge of PCBs or mercury at or above the level of detection is a specific violation of this permit unless it can be demonstrated to the Surface Water Quality Division Chief that the reason for detectable PCBs in the effluent was caused by a discharge from the Ford Allen Park Clay Mine Landfill and that the Ford Allen Park Clay Mine Landfill was appropriately regulated pursuant to the City of Detroit's requirements. If all the samples in any monthly reporting period are less than the level of detection, the Water Resources Commission will consider the permittee to be in compliance with the final effluent limitations for these pollutants for that reporting period, provided that the permittee is also in full compliance with the PCB and mercury minimization programs set forth in Part I.A.8. This paragraph does not authorize the discharge of PCBs or mercury at levels which are injurious to the designated uses of the waters of the state or which constitute a threat to the public health or welfare. (Total PCBs shall be defined as the sum of Aroclors 1242, 1254 and 1260. In addition, any detected Aroclor specific measurements shall be reported.)



City of Melvindale
Commission of Public Safety

3100 Oakwood Boulevard
Melvindale, Michigan 48122

James J. Brophy, Sr.
Chief of Police

Robert J. Harris
Fire Chief

Commissioners:

D. Wright
B. Criscenti
D. Newton
J. Falcioni

February 1, 1995

Mayor Thomas Coogan
Common Council
City of Melvindale
3100 Oakwood Blvd.
Melvindale, MI 48122

Mayor and Council Members;

Following is a copy of a resolution passed by the Commission of Public Safety at a meeting held on Tuesday, January 31, 1995;

95-6 Moved by Newton, and supported by Criscenti, that a resolution be forwarded to the Mayor and Common Council adamantly opposing any movement of hazardous material, by the Ford Motor Company, from its present location, to a location in the City of Allen Park, namely the Ford Clay Mine, as this could greatly affect the health and safety of the residents of the City of Melvindale.

PASSED UNANIMOUSLY

Sincerely,

David W. Wright (P)

David W. Wright
Chairman

DWW/11

711-28



City of Melvindale

3100 Oakwood Boulevard
Melvindale, Michigan 48122



Shari - add to file,

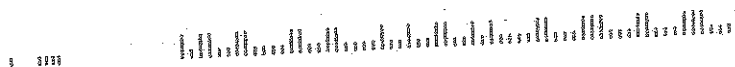
Share w/ Dave as

FTI.

Andy

U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, ILL 60604

HR-85





JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T MASON BUILDING, PO BOX 30028, LANSING MI 48908-7528

ROLAND HARMES, Director

NATURAL RESOURCES
COMMISSIONJERRY C. BARTNIK
KEITH J. CHARTERS
LARRY DEVUYST
PAUL EISELE
JAMES P. HILL
DAVID HOLLI
JOEY M. SPANOcc: A. Schampa
M. De Rosa
J. HaffREPLY TO:
WASTE MANAGEMENT DIVISION
PO BOX 30241
LANSING MI 48908-7741

March 30, 1995

RECEIVED

APR 7 1995

OFFICE OF RCRA
WASTE MANAGEMENT DIVISION
EPA, REGION VMr. John A. Brown
Snow Woods Neighborhood Association
1286 Linden Street
Dearborn, Michigan 48124

Dear Mr. Brown:

SUBJECT: Polychlorinated Biphenyl (PCB) Waste Disposal at the
Ford Allen Park Clay Mine

Thank you for your letter of March 10, 1995. Director Roland Harmes has asked me to respond to your concerns regarding the disposal of PCB waste at the Ford Allen Park Clay Mine facility.

The PCB waste is specifically regulated under the federal Toxic Substance Control Act (TSCA) which is administered in Michigan by the United States Environmental Protection Agency (U.S. EPA) out of the Region 5 office in Chicago. Under TSCA, Ford has the ability to apply to the U.S. EPA for a permit for disposal of PCB waste at the Allen Park Clay Mine. The U.S. EPA is required to review the application to determine if the proposed disposal satisfies the regulatory requirements of TSCA. The U.S. EPA's decision on whether to issue the permit will be based on the technical merits of the application and the relevant public comment regarding technical compliance with the TSCA regulations.

The Ford Allen Park Clay Mine is licensed under Michigan's Hazardous Waste Management Act, 1979 PA 64, as amended (Act 64) for the disposal of certain hazardous wastes. The Department of Natural Resources (Department) is currently reviewing Ford's application to renew that license and include the disposal of PCB waste. This review is based on the applicant's ability to demonstrate compliance with the hazardous waste regulations. Prior to making a final determination on the application, the Department will public notice a draft decision and conduct a public hearing. The Department will place the public notice in the local papers and send it to people on the facility mailing list. Your name has been placed on the mailing list.

Before Ford could accept PCB waste at this facility they will need to obtain both a TSCA permit and an Act 64 renewal license. In the event that a TSCA permit and Act 64 renewal license are issued to the facility, they will contain conditions to insure

Mr. John A. Brown

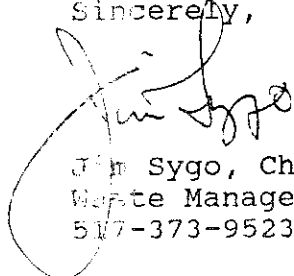
-2-

March 30, 1995

that the facility operation does not result in emissions containing PCBs that adversely affect human health or the environment.

Thank you for providing your concerns. If you have any question regarding this information, please contact Mr. Peter Quackenbush, Senior Environmental Engineer, Waste Management Division, at telephone number 517-373-7397, or me.

Sincerely,



Jim Sygo, Chief
Waste Management Division
517-373-9523

cc: Mr. Steve Johnson, U.S. EPA
~~Ms. Lorraine Kosik, U.S. EPA~~
Director Roland Harmes, DNR
Mr. Russell Harding, DNR
Mr. Ken Burda, DNR/HWP C&E File
Mr. Peter Quackenbush, DNR
Dr. Ben Okwumabua, DNR-Livonia

NATURAL RESOURCES
COMMISSION

JERRY C. BARTNIK
KEITH J. CHARTERS
LARRY DEVUYST
PAUL EISELE
JAMES P. HILL
DAVID HOLLI
JOEY M. SPANO

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

STEVENS T. MASON BUILDING, PO BOX 30028, LANSING MI 48909-7528

ROLAND HARMES, Director

cc: A. Schempa
M. DeLoos
J. Haff

REPLY TO:
WASTE MANAGEMENT DIVISION
PO BOX 30241
LANSING MI 48909-7741

March 31, 1995

Ms. Karen McGrath
17028 Hamilton
Allen Park, Michigan 48101

Dear Ms. McGrath:

SUBJECT: Polychlorinated Biphenyl (PCB) Waste Disposal at the
Ford Allen Park Clay Mine

Thank you for your letter of March 2, 1995. Director Roland Harmes has asked me to respond to your concerns regarding the disposal of PCB waste at the Ford Allen Park Clay Mine facility.

The United States Environmental Protection Agency (U.S. EPA) has performed a thorough analysis of the options for managing the PCB sediments generated from the cleanup of the Ford Outfall superfund site in Monroe, Michigan. Based on that analysis the U.S. EPA has determined that disposal off-site by landfilling at a properly licensed facility is acceptable.

The PCB waste is specifically regulated under the federal Toxic Substance Control Act (TSCA) which is administered in Michigan by the U.S. EPA from the Region 5 office in Chicago. Under TSCA, Ford has the ability to apply to the U.S. EPA for a permit for disposal of PCB waste at the Allen Park Clay Mine. The U.S. EPA is required to review the application to determine if the proposed disposal satisfies the regulatory requirements of TSCA. The U.S. EPA's decision on whether to issue the permit will be based on the technical merits of the application and the relevant public comment regarding technical compliance with the TSCA regulations.

The Ford Allen Park Clay Mine is licensed under Michigan's Hazardous Waste Management Act, 1979 PA 64, as amended (Act 64) for the disposal of certain hazardous wastes. The Department of Natural Resources (Department) is currently reviewing Ford's application to renew that license and include the disposal of PCB waste. This review is based on the applicant's ability to demonstrate compliance with the hazardous waste regulations. Prior to making a final determination on the application, the Department will public notice a draft decision and conduct a public hearing.

Rec'd
4/7/95
JH

7-26

Ms. Karen McGrath

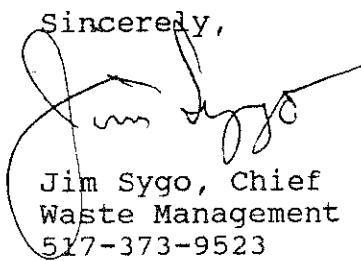
-2-

March 31, 1995

In the event that a TSCA permit and Act 64 renewal license are issued to the facility, they will contain conditions to insure that the facility operation does not result in emissions containing PCBs that adversely affect human health or the environment.

Thank you for providing your concerns. If you have any question regarding this information, please contact Mr. Peter Quackenbush, Senior Environmental Engineer, Waste Management Division, at telephone number 517-373-7397, or me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Sygo", is written over the typed name and title.

Jim Sygo, Chief
Waste Management Division
517-373-9523

cc: Mr. Steve Johnson, U.S. EPA
Ms. Lorraine Kosik, U.S. EPA
Director Roland Harmes, DNR
Mr. Russell Harding, DNR
Mr. Ken Burda, DNR/HWP C&E File
Mr. Peter Quackenbush, DNR
Dr. Ben Okwumabua, DNR-Livonia

MAY 02 1995

R-19J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Helen O. Petrauskas
Vice President
Environmental and Safety Engineering
Ford Motor Company World Headquarters
P.O. Box 1899
Dearborn, Michigan 48121-1899

Dear Ms. Petrauskas:

I am writing in regard to Ford Motor Company's (Ford) pending application under the Toxic Substances Control Act (TSCA) for approval of a PCB chemical waste landfill at Ford's Allen Park Clay Mine Landfill, Allen Park, Michigan (EPA I.D. No. 980-568-711).

By this letter, the United States Environmental Protection Agency, Region 5 (U.S. EPA or the Agency) provides Ford with written notice that, unless Ford provides the Agency with a detailed leachate treatment and management plan describing a viable method by which Ford plans to dispose of leachate from this proposed chemical waste landfill, within forty-five (45) days of receipt of this letter, Ford's application for an approval of that landfill, submitted to U.S. EPA on November 12, 1993, pursuant to TSCA, 15 U.S.C. § 2601 et seq., and the regulations promulgated thereunder, will be deemed inadequate and subsequently denied.

The regulations found at 40 C.F.R. § 761.75(c) provide that prior to the disposal of PCBs in a chemical waste landfill, the owner or operator of the proposed landfill must obtain a written approval from the Regional Administrator for the Region in which the landfill is to be located. Those regulations also provide that the Agency may not approve any such application unless all the requirements found at 40 C.F.R. § 761.75(b) have been met, or a waiver granted pursuant to 40 C.F.R. § 761.75(c)(4). If an applicant for a TSCA chemical waste landfill approval, following adequate written notice and time to respond from the Agency, fails to provide to U.S. EPA all the information required under 40 C.F.R. § 761.75, or properly respond to deficiencies in the application identified by the Agency, then the Agency, using its broad discretion under the applicable regulations, may deem such

7/1/25

an application to be inadequate. The end result would be that U.S. EPA, without further notice, could issue a final decision denying an applicant's request for an approval of a chemical waste landfill.

One of the requirements necessary in an application for an approval of a TSCA chemical waste landfill is that the applicant provide a description of the method by which the owner or operator proposes to dispose of the leachate generated from the proposed facility. All such leachate must "be either treated to acceptable limits for discharge in accordance with a State or Federal permit or disposed of by another State or Federally approved method," per 40 C.F.R. § 761.75(b)(7).

Ford's November 12, 1993 application, currently before the Agency, does not provide an acceptable operations plan describing a viable method, in accordance with all applicable Federal, State and local permits, by which Ford proposes to dispose of the leachate generated at the APCML facility, and, therefore, is not in compliance with 40 C.F.R. § 761.75. In a letter to Ford, dated July 21, 1994, the Agency notified Ford that its TSCA chemical waste landfill application was incomplete due to the lack of an acceptable operations plan setting forth the method by which Ford proposed to dispose of the leachate from its APCML facility. Ford's written response to this letter, dated July 27, 1994, did not adequately address U.S. EPA's concerns because it did not indicate that the proposed leachate disposal method was acceptable to the City of Detroit. Additionally, Ford's response did not provide the Agency with enough detail concerning the engineering specifics of the leachate treatment process, sampling and analytical methods, and quality assurance procedures.

While the Agency is cognizant of the fact that Ford is currently attempting to negotiate a solution to the leachate issue with the City of Detroit, whereby the leachate from the proposed APCML TSCA chemical waste landfill would be treated and discharged to the City of Detroit's Publicly Owned Treatment Works (POTW), U.S. EPA believes that Ford has had more than enough time to resolve this issue with the City of Detroit, and, as a result, the Agency has determined that it is reasonable and appropriate to require Ford to resolve this issue by the date certain set forth in this letter. If Ford cannot resolve the leachate disposal issue with the City of Detroit, the Agency will require that Ford provide U.S. EPA with an alternative method of disposal of the subject leachate, per 40 C.F.R. § 761.75(b)(7), by the forty-five (45) day time period set forth in this letter, if Ford wishes the Agency to consider its TSCA application for approval.

In addition, U.S. EPA recommends that Ford proceed expeditiously in securing any State and local permit/license amendments or modifications and/or State and local approvals deemed necessary and predicate to this Federal approval process, per 40 C.F.R.

§ 761.75(c)(1)(viii). While the Agency will not require that any such amendments or modifications be granted within the forty-five (45) day time period set forth in this letter to resolve the leachate issue, U.S. EPA will require that Ford present the Agency with written documentation proving that any such amendments, modifications and/or approvals have been submitted to the appropriate authorities and will be issued in a timely manner.

In conclusion, if, within forty-five (45) days from the receipt of this letter, Ford fails to provide the Agency with a viable and acceptable method, which is in compliance with all applicable Federal, State and local laws, regulations, permits and approvals, for the disposal of the leachate from its proposed APCML TSCA chemical waste landfill, U.S. EPA will consider Ford's application to be inadequate and the Agency will, without further notice, issue a final decision denying Ford's request for an approval of a TSCA PCB chemical waste landfill at the APCML.

If you have any questions concerning this matter, please contact me or John P. Steketee, Assistant Regional Counsel, at (312) 886-0558.

Sincerely yours,

/s/ original signed by
Valdas V. Adamkus

Valdas V. Adamkus
Regional Administrator

cc: Timothy J. O'Brien, Ford
Jerome S. Amber, Ford
George Kircos, Ford
Russell Harding, MI Department of Natural Resources
Steve Gordon, Detroit Water and Sewer Department

bcc: J. Steketee, ORC (CA-29A)
T. Martin, ORC (CA-29A)
S. Mendoza, ORC (CA-29A)
E. Cohen, ORC (CA-29A)

S. Johnson, ESD (SP-14J)
S. Cooper, ESD (SP-14J)
J. Greensley, ESD (SP-14J)
J. Connell, ESD (SP-14J)
P. Reed, ESD (SP-14J)

S. Jann, WQB (WQP-16J)
J. Colletti, WQB (WQP-16J)
T. Henry, WQB (WQP-16J)
K. Fenner, WQB (WQB-16J)

D. Keclick, WCB1 (WC-15J)
L. Acierto, WCB1 (WC-15J)
M. Klevs, WCB1 (WC-15J)
R. Tolpa, WCB1 (WC-15J)
M. Mikulka, WCB1 (WC-15J)

P. Valentin, WASTE (HRSW-6J)
B. Eleder, WASTE (HRSW-6J)
W. Carney, WASTE (HRSW-6J)
J. Traub, WASTE (HRSW-6J)

S. Sutker, RCRA (HRPM-8J)
R. Traub, RCRA (HRPM-8J)

D. deBlasio, ORA (P-19J)
K. Westlake, ORA (P-19J)

J. Curtin, OGC (2333R)

JERRY C. BARTNIK
LARRY DEVUYST
PAUL EISELE
JAMES HILL
DAVID HOLLI
JOEY M. SPANO
JORDAN B. TATTER

ROLAND HARMES, Director

RECEIVED
DEC 22 1994

DEC 22 1994

OFFICE OF RCRA
WASTE MANAGEMENT DIVISION
EPA, REGION V

Ms. Anne M. Marschner
17583 Reed
Melvindale, Michigan 48122

Thank you for your letters of October 18, 1994 and November 15, 1994 with enclosed petitions. Director Roland Harmes has asked me to respond to the concerns expressed in your letters regarding the disposal of polychlorinated biphenyl (PCB) waste at the Ford Allen Park Clay Mine facility.

The PCB waste is specifically regulated under the federal Toxic Substance Control Act (TSCA) which is administered in Michigan by the U.S. Environmental Protection Agency (U.S. EPA) from the Region 5 office in Chicago. Under TSCA, Ford has the ability to apply to U.S. EPA for a permit for disposal of PCB waste at the Allen Park Clay Mine. The U.S. EPA is required to review the application to determine if the proposed disposal satisfies the regulatory requirements of TSCA. The U.S. EPA decision on whether to issue the permit will be based on the technical merits of the application and the relevant public comment regarding technical compliance with the TSCA regulations.

The Department of Natural Resources (Department) has reviewed the draft TSCA permit and provided U.S. EPA with comments regarding compliance with TSCA and the existing Department license issued to the facility pursuant to Michigan's Hazardous Waste Management Act, 1979 PA 64, as amended.

Your resolution expressed concern regarding contaminants from the landfill entering the public water supply through a water main in the roadway adjacent to the landfill. The landfill was constructed with two liners, a leachate collection and removal system, a leak detection and removal system, and is surrounded by an extensive natural clay layer which will prevent migration of contaminants out of the landfill. In the event contaminants from any source were to exist in the vicinity of the water main, the fact that the water main is pressurized would not allow contaminants to enter the public water supply.

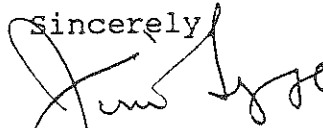


December 14, 1994

The issues regarding the location of the 100-year floodplain for the area around the facility cannot be resolved until the U.S. Army Corps of Engineers finalizes the new floodplain maps.

Thank you for providing your concerns to the Department. If you have any question regarding this information, please contact Mr. Peter Quackenbush, Senior Environmental Engineer, Waste Management Division, at telephone number 517-373-7397, or me.

Sincerely



Jim Sygo, Chief
Waste Management Division
517-373-9523

cc: Mr. Steve Johnson, U.S. EPA
~~Ms. Lorraine Kosik, U.S. EPA~~
Attorney General Frank Kelley
Director Roland Harmes, DNR
Mr. Russell J. Harding, DNR
Mr. Ken Burda, DNR/HWP C&E File
Mr. Peter Quackenbush, DNR
Dr. Ben Okwumabua, DNR-Livonia



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 04 1995

REPLY TO THE ATTENTION OF:

SP-14J

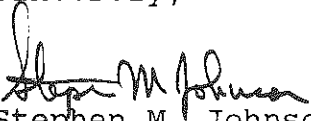
Jim Sygo, Chief
Waste Management Division
Michigan Department of Natural Resources
P.O. Box 30241,
Lansing, Michigan 48909

Re: Dearborn City Council Resolution of October 21, 1994

Dear Mr. Sygo:

A copy of the United States Environmental Protection Agency's,
Region 5, December 21, 1994 response to the City of Dearborn City
Council is enclosed for your information.

Sincerely,


Stephen M. Johnson, PG
PCB Control Section

Enclosure

cc: Shari Sutker, U.S. EPA, HRP-8J

Attorney General Frank Kelley
Michigan Dept. of Natural Resources
P.O. Box 30028
Lansing MI, 48909

Director Roland Harmes
Michigan Dept. of Natural Resources
P.O. Box 30028
Lansing MI, 48909

Mr. Russell J. Harding
Michigan Dept. of Natural Resources
P.O. Box 30241, John Hannah Bldg.
Lansing, MI, 48909

711-20



Printed on Recycled Paper

Mr. Ken Burda
Michigan Dept. of Natural Resources
P.O. Box 30241, John Hannah Bldg.
Lansing, MI, 48909

Peter Quackenbush, Senior Environmental Engineer
Michigan Dept. of Natural Resources
P.O. Box 30241, John Hannah Bldg.
Lansing, MI, 48909

Mr. Roger Jones
Surface Water Quality
Michigan Dept. of Natural Resources
P.O. Box 30241, John Hannah Bldg.
Lansing, MI, 48909

Pablo Valentin, Remedial Project Manager
U.S. EPA Region 5, HSRW-67

Mardi Klevs, S.E. Michigan Coordinator
U.S. EPA Region 5, WC-15J

Dr. Ben Okwumabua
Michigan Dept. of Natural Resources
38980 Seven Mile Road
Livonia, MI, 48152.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 21 1994

REPLY TO THE ATTENTION OF:
S-14J

Duane Wydendorf, City Clerk
City of Dearborn
City Hall
13615 Michigan Avenue
Dearborn, Michigan 48126

Re: Dearborn City Council Resolution of October 21, 1994

Dear Mr. Wydendorf:

The United States Environmental Protection Agency (U.S. EPA) is in receipt of your letter dated October 21, 1994, in which unanimous opposition by the Dearborn City Council to an approval for the disposal of PCB waste in Cell II of the Ford Allen Park Clay Mine Landfill is declared. All of your concerns were raised during the Toxic Substances Control Act (TSCA) public comment period. All comments and responses to them will be made public if a TSCA approval is granted for the landfill. However, before a TSCA approval is granted, the U.S. EPA must make a determination whether the landfill will create an unreasonable risk to human health or the environment. Approvals are then maintained, subject to that condition.

We share your concerns with impacts on water quality. It is the policy of the Environmental Sciences Division that an approval will not be sent out for signature contingent on leachate disposal. A way must be found to dispose of leachate that does not restrict sludge disposal, endanger National Pollution Discharge Elimination System (NPDES) publicly owned treatment works discharge permits, or create an unreasonable risk to human health and the environment.

We are concerned with, and note your fears regarding the operation of this landfill. Although the public comment period for this approval is closed, the U.S. EPA considers all information available regarding approvals. You may forward any supporting data upon which you base your opposition or further inquiries to Mr. Stephen Johnson, of my staff, at 312-886-1330.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Corinne Wellish".

Corinne Wellish, Acting Director
Environmental Sciences Division



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NATURAL RESOURCES
COMMISSION

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STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

Stevens T. Mason Building, P.O. Box 30028, Lansing, MI 48909

ROLAND HARMES, Director

*This letter held by
Ford on 6/4/92*

Sandy

*cc Boyle
Brenner*

Mayke

June 3, 1992

CERTIFIED MAIL RETURN
RECEIPT REQUESTED

Mr. Harold A. Poling
Chairman of the Board
Ford Motor Company
The American Road
Dearborn, Michigan 48121

EL

Dear Mr. Poling:

SUBJECT: River Raisin PCB Contamination

JUN 05 1992

This letter is formal notice that:

AT LAKES & ENVIRONMEN
TAL RESOURCES SECTION

1. The Michigan Department of Natural Resources (MDNR) has identified the River Raisin from the city of Monroe to the river's mouth as a site of environmental contamination; and
2. The MDNR has recommended that the Legislature authorize expenditure of public funds under the Environmental Protection Bond Implementation Act (1988 P.A. 328) for the purpose of investigating and remediating environmental contamination associated with this facility.

The MDNR is authorized by law, including the Michigan Environmental Response Act (MERA) (1982 P.A. 307, as amended), to use public funds to undertake actions necessary to protect public health and the environment. Appropriations are being sought for the specific actions described in this letter.

Recent sediment investigations by Michigan State University (MSU) and MDNR staff have documented that extremely high levels of PCBs are present in River Raisin sediments in the vicinity of two Ford Motor Company (Ford) outfalls, a 36-inch cement plugged outfall and a 48-inch outfall. Please refer to the following attachments for additional information:

1. MSU River Raisin progress report dated November 14, 1991;
2. Memorandum dated December 13, 1991, from Mr. Roger Jones, MDNR, to Mr. William Creal, MDNR, regarding the Ford Motor Company, Monroe; and
3. Memorandum dated December 13, 1991, from Mr. Roger Jones, MDNR, to Mr. William Creal, MDNR, regarding River Raisin Sediment Samples.

711-19

Other historical MDNR records also indicate discharges of PCBs from Ford to the River Raisin (MDNR Point Source Studies Section wastewater survey report dated March 3-4, 1980), as well as PCB soil contamination on Ford property along the river (1989 Ford RCRA Closure Plan). We believe that you possess both of these documents.

The high concentrations of PCBs in the sediments in the vicinity of the 36-inch outfall and the 48-inch outfall are a threat to public health and the environment. The releases or threatened release of hazardous substances from the Ford property to the River Raisin, including the discharge of these substances into surface water and groundwater, may violate Sections 6(1) and 7 of the Michigan Water Resources Commission Act (1929 P.A. 245, as amended), as well as other state and federal laws.

The MDNR has determined that, as a riparian property owner, Ford is a potentially responsible party for this contamination at this facility. We, therefore, request that Ford voluntarily undertake immediate response activities to remedy the contamination problems in the vicinity of the 36-inch outfall and the 48-inch outfall. These actions include:

1. Fencing the Ford property to restrict all overland access to the river in the vicinity of the contamination. If the property is already fenced, please be sure the fence restricts access to the river from any portion of the property, that it remains in good condition, that all gates are kept locked during times when the property is not occupied by Ford personnel.
2. Posting warning signs, such as "WARNING: Hazardous Area," "Sediments Contaminated with PCBs," "No Fishing," and/or "No Trespassing" to indicate the nature of the problem. The signs should be posted in locations where they can be read by boaters, as well as by hikers/trespassers.
3. Immediately initiating an investigation into the extent of and promptly remediating the PCB contamination that exists in the sediments of the River Raisin in the vicinity of the 36-inch and 48-inch outfalls.

Additional response activities, including, but not limited to, those actions described above, may ultimately be required to fully remedy the environmental contamination in the soils and sediments, surface water and groundwater for the River Raisin facility.

The MDNR believes that Ford is responsible for undertaking the necessary response activities at this facility in accordance with the requirements prescribed in Part 5 of the Administrative Rules promulgated pursuant to

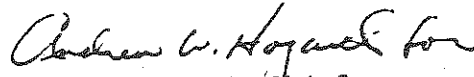
June 3, 1992

the MERA, unless an exemption or defense to liability as provided by Sections 3(t), 3(u) or 12(a) of the MERA applies. Please provide your written commitment to do so to Mr. Alan J. Howard, Chief, Environmental Response Division, MDNR, P.O. Box 30028, Lansing, Michigan 48909 within 15 days of receipt of this letter. If we do not receive a written commitment and a proposed investigation and cleanup plan, the MDNR may do either of the following:

1. Request that the Attorney General take enforcement action against Ford as a potentially responsible party.
2. Take the required response activities utilizing public funding. Any expenditure of public funds and accumulated interest for this purpose is subject to cost recovery actions by the state pursuant to federal or state law including Section 12 of the MERA, MCL 299.612 and Section 10(2) of the Michigan Water Resources Commission Act, MCL 323.10(2).

The department may also pursue other enforcement actions under these statutes and other applicable statutes and law. The files used to prepare this notice are located in the MDNR, Great Lakes and Environmental Assessment Section. As additional information is developed in this investigation, other files and records may be used. If you wish to review these files or if you have questions regarding this letter, please direct your inquiries to Mr. Roger Jones, Surface Water Quality Division. His telephone number is 517-373-4704. The project manager for this facility is Ms. Lisa Scarpelli, Environmental Response Division, Southeast Michigan District Office, MDNR, 38980 Seven Mile Road, Livonia, Michigan 48152. Her telephone number is 313-953-1463.

Sincerely,


Alan J. Howard, Chief
Environmental Response Division
517-335-1104

Enclosures

cc: Mr. Wayne Asher, Ford Motor Company
Mr. James Wilhelm, City Manager, City of Monroe
Mr. James Neorr, Chief Sanitarian, Monroe County Health Department
Mr. James Mann, River Raisin Representative
Statewide Public Advisory Council
Ms. Vivian Brighton, Director, River Raisin Watershed Council
Mr. John Miller, USEPA, Region V
Mr. A. Michael Leffler, Michigan Department of Attorney General
Mr. Adrian Oudbier, Michigan Department of Public Health
Mr. Paul Zugger, MDNR
Mr. Roger Jones, MDNR
Ms. Lisa Scarpelli, MDNR

Progress Report for the Project:
"Evaluation of PCB Dechlorination in the Sediments of
the River Raisin"

Stephen A. Boyd
James M. Tiedje
John F. Quensen, III

Department of Crop & Soil Sciences
Michigan State University
East Lansing, MI 48824

November 14, 1991

1) SUMMARY OF ACTIONS TAKEN DURING THIS PERIOD

PCB Analysis of core sections.

Soxhlet extractions and congener specific PCB analysis have been completed on 5 cm sections from all 6 sites (A through F) sampled in the lower River Raisin. These data will be used to evaluate the occurrence of in situ PCB dechlorination.

Bioassays for the presence of PCB dechlorinating microorganisms.

Bacteria eluted from River Raisin sediments have been incubated with PCBs added to non-PCB-contaminated sediments known to support microbial PCB dechlorination activity. This assay will tell us if microorganisms capable of PCB dechlorination are present in the River Raisin sediments. All samples through 20 weeks have been extracted and analyzed chromatographically. This concludes these experiments.

Treatability assays.

River Raisin sediments were incubated with known PCB-dechlorinating microorganisms from the Hudson River to evaluate whether the PCBs present in the river Raisin sediments can be microbially dechlorinated. All samples through 16 weeks have been extracted and prepared for chromatographic analysis.

EROD induction assay.

This assay is designed to determine if in situ dechlorination of PCBs in the River Raisin sediments has resulted in reduced dioxin-like toxicity. A sample from site E has been extracted and prepared for the EROD induction assay. This sample is being analyzed in the laboratory of John Giesy at Michigan State University. There was an insufficient quantity of PCBs in the other samples to perform this analysis.

Other analyses

Samples from sites E and D (the two with the highest PCB concentrations) have been sent to Huffman Laboratories for total and organic carbon analysis. These samples have also been analyzed for oil and grease and metals in the Department of Crop & Soils Sciences. Organic carbon, oil and grease content, and metals are environmental factors that seem to influence the extent of in situ PCB dechlorination that occurs at a given site.

2) SUMMARY OF ACCOMPLISHMENTS DURING THIS PERIOD

Core Sample Analysis.

Soxhlet extractions and PCB analyses have been completed for all core samples and the results are in Table 1. All sites are located along the north bank of the river. Site A is nearest the mouth while site F is near the lower end of the turning basin. PCB concentrations at site E were extremely high (to ~40,000 µg/g (ppm) sediment dry weight). The chromatographic pattern for the Soxhlet extracted samples suggest that limited *in situ* dechlorination (generally less than 0.5 Cl lost per biphenyl) has occurred. By way of comparison, the extensive *in situ* dechlorination that has occurred in the upper Hudson River has resulted in the loss of up to 1.6 Cl per biphenyl.

Bioassays for PCB dechlorinating microorganisms.

The results of these assays indicate that PCB dechlorinating microorganisms are present at all sites assayed (A, D, and E). Dechlorination under assay conditions was more extensive than *in situ* (to approximately 1.4 Cl removed per biphenyl), and predominantly from the meta positions.

3) SUMMARY OF REMAINING ACTIONS TO BE TAKEN

Complete chromatographic analysis of the samples from the treatability assay by the end of November.

Obtain results from analyses for total and organic carbon, and EROD induction assay.

Prepare final report by January 1, 1992.

4) PROBLEMS ENCOUNTERED DURING THIS PERIOD

Sample backlogs have pushed some analyses (ie. the treatability assay, and the EROD induction assay) for this project into November. Analyses for these samples should be completed within a week.

*Locations by R. Jones based on
input from MSU staff 11/20/91.*

WEST END OF LAKE ERIE

SCALE 1:15,000

SOUNDINGS IN FEET

FEET

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STATUTE MILES

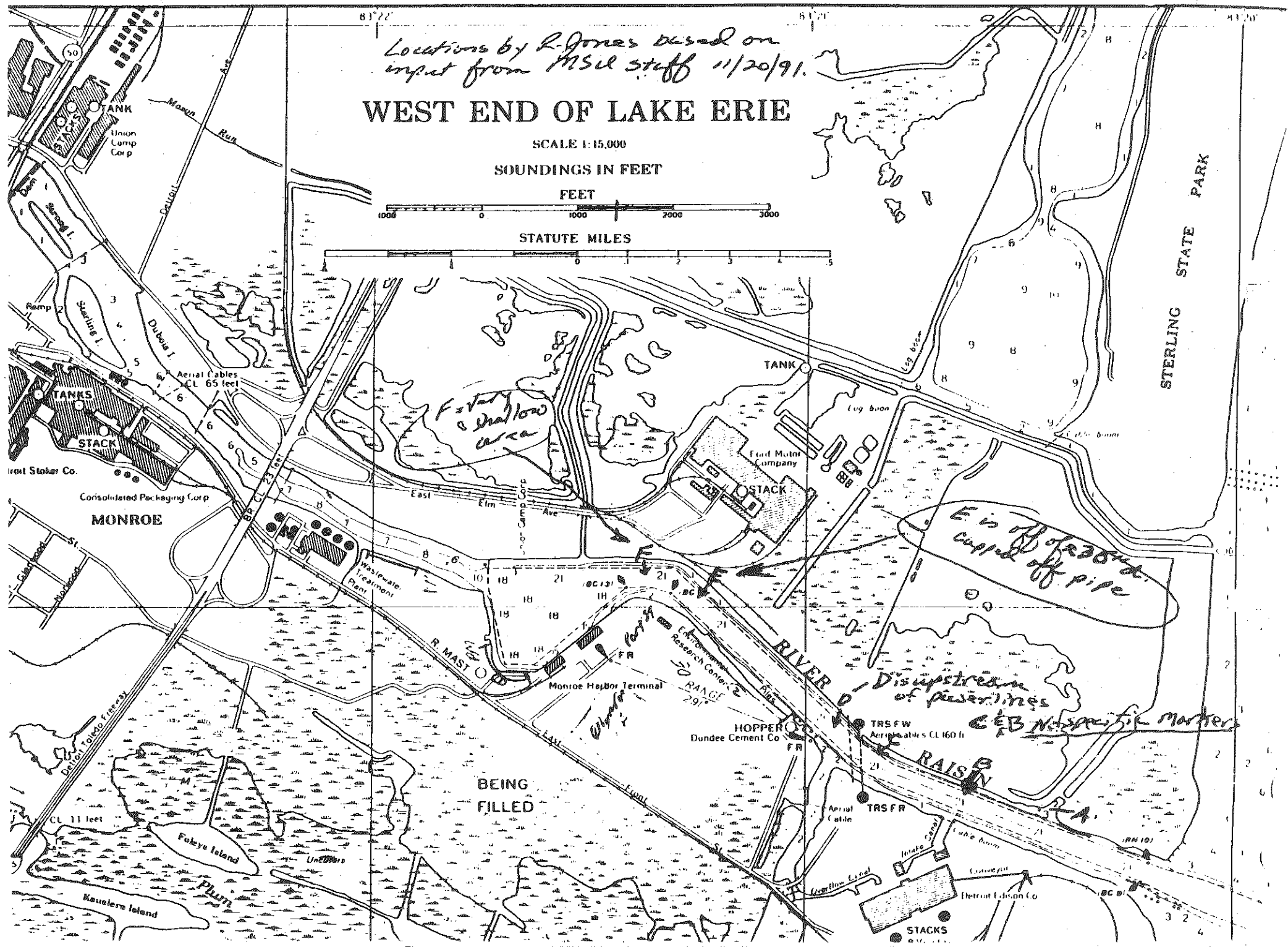


Table 1. Total PCB concentrations $\mu\text{g/g}$ sediment dry weight) for core sections from the lower River Raisin.

Depth	Site					
	A	B	C	D	E	F
0-5 cm	2	3	4	25	8,020 ⁸⁵	1
5-10 cm	2	1	3	41	42,167 ¹⁰⁰	0.4
10-15 cm	2	0.3	0.4	97	14,730 ¹⁰⁰	0.5
15-20 cm	2	0.1	0.3	209	17,886 ¹⁰⁰	0.2
20-25 cm	2				12,362	

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

INTEROFFICE COMMUNICATION

December 13, 1991

TO: William Creal
Great Lakes and Environmental Assessment Section
Surface Water Quality Division

FROM: Roger Jones
Great Lakes and Environmental Assessment Section
Surface Water Quality Division

SUBJECT: Ford Motor Company, Monroe, Michigan

On December 4, 1991, I telephoned Mr. Wayne Asher, Certified Operator, at the Ford Motor Company in Monroe. I asked Mr. Asher if the 36-inch cement plugged outfall on the north side of the River Raisin (just downstream from the turning basin) belonged to Ford. I advised him that this particular outfall had a yellow metal platform on it.

Mr. Asher stated that the above was a former Ford outfall as was a 48-inch outfall located just downstream from the 36-inch outfall. He said that use of these and most other Ford river outfalls was discontinued around 1971 when an interceptor was installed that diverted the various wastewater flows to Ford's wastewater treatment system.

I told Mr. Asher about MSU's River Raisin PCB research project. I explained that MSU staff had found levels of PCBs in the sediments near the 36-inch former outfall in the 40,000 ppm range and that our laboratory had confirmed this by analyzing some of MSU's sediment sample.

Mr. Asher advised that to his knowledge, the only PCBs that were in use at the plant were in transformers and capacitors. However, he did say that he remembered setting out oil containment booms on the river between 1965 and 1971 off of the 36-inch outfall.

I advised that perhaps PCBs were present in hydraulic oils at the plant. Mr. Asher has been at the Ford Monroe plant since 1965. He also said that the yellow metal platform on top of the outfall pipe was used for sampling purposes. He mentioned pH as one of the parameters that was previously sampled from the platform.

I advised Mr. Asher that MDNR staff had collected sediment samples in the vicinity of the former 36-inch outfall during the week of November 25, 1991. I further advised that if our samples confirmed that the most serious areas of contamination are in the vicinity of the Ford outfall, that we would be requesting Ford to take immediate action to further investigate and remedy the PCB problem areas.

Regarding the industrial history of the Ford Monroe property, Mr. Asher said that Newton Steel first occupied the site in 1929. Newton Steel was followed by Alcoa Aluminum, Kelsey Hayes and in the 1950's, the Ford Motor Company.

cc: Roy Schrameck, SWQD, Livonia Office

Roger Jones

INTEROFFICE COMMUNICATION

December 13, 1991

TO: William Creal
Great Lakes and Environmental Assessment Section
Surface Water Quality Division

FROM: Roger Jones
Great Lakes and Environmental Assessment Section
Surface Water Quality Division

SUBJECT: River Raisin Sediment Samples

On November 25, 1991, Kathy Bean and Allison Whitman of Surface Water Quality Division, Detroit District, and I collected five sediment samples for PCB analysis in the vicinity of Ford's 36-inch cement plugged former outfall. An approximate sample location map is attached. Sampling depths ranged from about six to ten feet.

A petite ponar dredge was used to collect the samples. Photographs were taken of the sediments after they were collected and placed in a mixing pan. The samples were taken to the MDNR laboratory on November 26, 1991, and the results reported to me on December 10, 1991.

Sample locations, descriptions, and results are attached.

Attachment

cc: Roy Schrameck, SWQD, Livonia Office

Roger Jones

Sample Location 1A

Time: 11:20 a.m.

Sample Location: 50 ft. upstream of outfall, 30 ft. from shore.

Sample Description: Grayish mud, slight oil odor, silty with some sand present. No visible oil. Photo taken.

Sample Location 1B

Time: 11:30 a.m.

Sample Location: 30 ft. out from outfall.

Sample Description: Blackish gray, silty mud, oily with oily odor. Note: Oil came from bottom sediments up to river surface after dredge was dropped. Photo of 1B and 1C in pan taken.

Sample Location 1C

Time: 11:40 a.m.

Sample Location: 30 ft. out from outfall. Same general vicinity as 1B.

Sample Description: Brownish gray mud, silty with some sand present. No odor. No visible oil.

Sample Location 1D

Time: Noon

Sample Location: 30 ft. downstream of 1B and 1C, 20 ft. out from shore.

Sample Description: Grayish brown mud with small amount of sand present. Oil patches visible on sediment. Photo taken.

Sample Location 1E

Time: 12:30 p.m.

Sample Location: 30 ft. out from 48-inch partially submerged outfall located just downstream from 1D.

Sample Description: Grayish brown, silty with oil sheen on liquid portion of sediments. Sediment texture and appearance similar to 1D. No photo taken.

Results*

	Aroclor 1232	Aroclor 1248
1A	460	320
1B	4600	3800
1C	180	55
1D	1600	400
1E	150	60

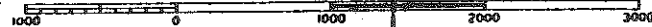
*mg/kg

WEST END OF LAKE ERIE

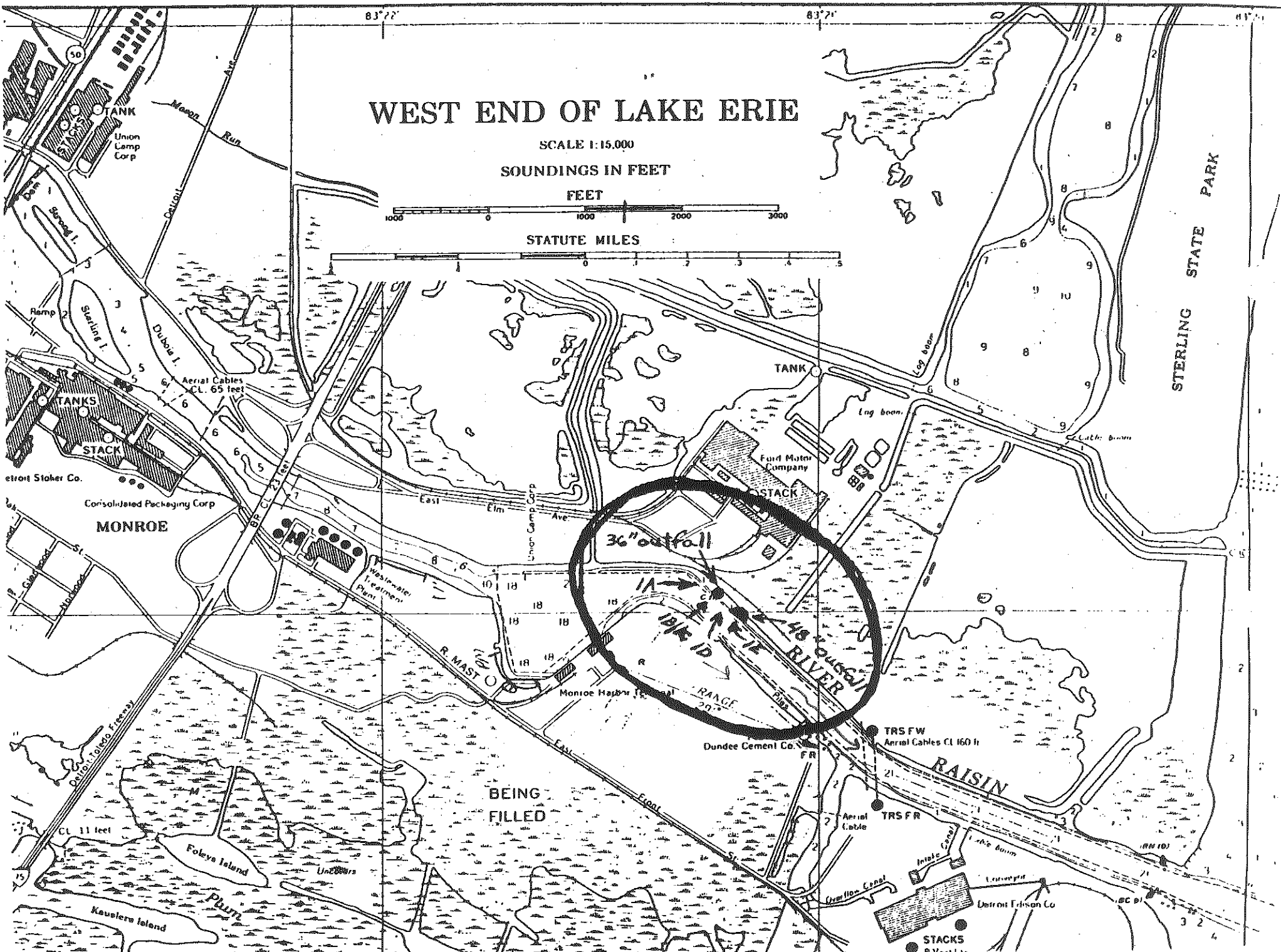
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SOUNDINGS IN FEET

FEET



STATUTE MILES



NATURAL RESOURCES
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JORDAN B. TATTER

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF NATURAL RESOURCES

John Hannah Building, P.O. Box 30241, Lansing, MI 48909

ROLAND HARMES, Director

RECEIVED
JUN 5 1994

June 29, 1994

OFFICE OF RCRA
WASTE MANAGEMENT DIVISION
EPA REGION V

Ms. Carol Misseldine
Executive Director
Michigan Environmental Council
115 West Allegan, Suite 10B
Lansing, Michigan 48933-1712

Dear Ms. Misseldine:

Carol

SUBJECT: Ford Motor Company Application for Disposal
of PCB Waste in the Allen Park Clay Mine

In reviewing your letter to Attorney General Frank J. Kelley,
I felt it necessary to inform you of a misrepresentation in
your letter.

PCB waste is specifically regulated under the federal "Toxic
Substance Control Act" (TSCA) which is administered in
Michigan by the U.S. Environmental Protection Agency (U.S. EPA)
Region 5 office in Chicago. The permitting of this facility
under TSCA should not necessitate amendment of their
hazardous waste operating license issued under Michigan's
Hazardous Waste Management Act, 1979 PA 64, as amended
(Act 64). An amendment of the Act 64 operating license would
only be required if the draft TSCA permit contains conditions
that would physically alter the design of the facility or
conflict with the conditions for operating requirements
contained in the existing Act 64 operating license.

The Waste Management Division (WMD) is currently reviewing
the draft TSCA permit. As part of that review, WMD will
determine if there are conflicts or proposed design revisions
that would require such an amendment and will provide the
U.S. EPA with comments to that effect. If it is determined
that an amendment is required, WMD will follow the public
participation requirements of Act 64 for public notice and
public hearings.



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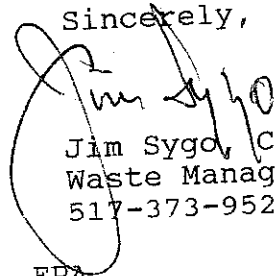
Ms. Carol Misseldine

-2-

June 29, 1994

Thank you for providing your concerns. If you have any question regarding this information, please contact Mr. Peter Quackenbush, Senior Environmental Engineer, Waste Management Division, at telephone number 517-373-7397, or me.

Sincerely,



Jim Sygo, Chief
Waste Management Division
517-373-9523

cc: Mr. Steve Johnson, U.S. EPA
Mr. Rich Traub, U.S. EPA
Ms. Lorraine Kosik, U.S. EPA
Attorney General Frank J. Kelley
Mr. Russell J. Harding, DNR
Mr. Ken Burda, DNR/ HWP C&E File
Mr. Peter Quackenbush, DNR
Dr. Ben Okwumabua, DNR-Livonia